

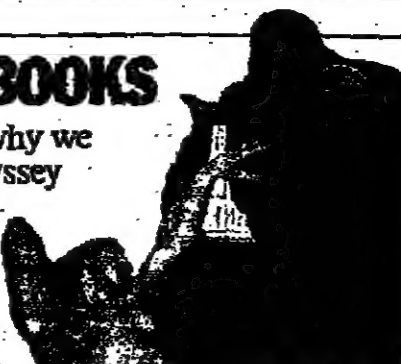
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BEST FOR BOOKS

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JOBS

WANTED

- ☐ Executive.....90K
- ☐ Director.....70K
- ☐ Analyst.....30K
- ☐ Graduate.....26K

APPOINTMENTS, 32-PAGE
DOUBLE SECTION

Hidden TV camera shows deal to smuggle painting out of Italy

Senior staff
suspended
by Sotheby's

By STEPHEN FARRELL

SOTHEBY'S, the world's oldest and biggest auctioneers, suspended senior members of staff yesterday amid allegations that it systematically broke the law to smuggle art treasures to London.

A hidden camera carried by an investigator from the Channel 4 Dispatches programme filmed Roeland Kollwijn, Sotheby's Old Masters expert in Milan, offering to smuggle a work by the Italian painter Giuseppe Nogari to Britain. He makes a series of damaging admissions, acknowledging that it was illegal for the 18th century portrait to leave Italy.

The film also records Sotheby's senior director George Gordon taking delivery of the Nogari at the New Bond Street salerooms in London.

The programme, to be broadcast tonight, is the culmination of six years' work by

SOTHEBY'S

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the arts journalist Peter Watson whose book, *Sotheby's: The Inside Story*, begins its serialisation in *The Times* today. The book accuses Sotheby's of arranging the illegal export of Old Masters from Italy to England, of involvement in the export of antiquities from India to England, of creating false paperwork to conceal the origin of items, and of rigging the Art Market Index and auctions.

Sotheby's last night claimed the investigation had deliberately enticed employees into breaching its strict procedures. "We deplore Dispatches' methods. Nevertheless, rules may have been

broken and the staff concerned have been suspended pending a fuller investigation," a statement said. "Such behaviour, if proven, does not represent the company's practices, nor will it be condoned by the company's management." The auctioneers refused, however, to say how many staff had been suspended or to identify them.

Watson set up his "sting" in March last year when, posing as an art collector, he bought Nogari's *Old Woman With A Cup* in Naples for £9,500. He then sent a freelance lighting camerawoman, Victoria Parnall, into Sotheby's Milan office with instructions to pose as an Australian who had inherited a valuable collection which she wanted to sell.

She wore a crystal brooch which concealed a tiny fish-eye camera and microphone. On her second visit, Mr Kollwijn is filmed telling her that she could get more money by selling the Nogari in London or New York than in Italy. Asked how she could get the painting out of the country, he says: "I'm not telling you this as Sotheby's" and then explains a procedure which would cost a million lire (£450) per picture.

Talking about what would happen after the picture had been smuggled, he says: "It goes to an address in London, and then Sotheby's expert goes there and says, 'Oh, how nice, what a surprise!' - he knows, but he doesn't... If anything goes wrong he says, 'I saw those pictures in London. I didn't know the owner exported them illegally.'"

Nogari's *Old Woman with a Cup* fetched £7,000 - a loss for the "sting" operation

Mr Kollwijn tells her she will get 5 million lire (£2,300) more if she sells the painting in London, but insists that he will deny all knowledge of the operation if it is uncovered. He gets her to sign a slip saying that she has taken the picture away with her, explaining: "I'm not going to smuggle it until I have it out of this office legally. It's not that I don't trust you, it's just that this is such a filthy business."

The investigator left the picture with Sotheby's and two months later it arrived in London. On May 28 another

member of Watson's team delivered it to Mr Gordon, who sold it at auction for £7,000 on July 3 to yet another member of the team posing as a buyer. The painting was later returned to Italy.

The Sotheby's staff's alleged activities break Italian law and directly contravene the British Antique Dealers' Association code of practice. That states that members should not "import, export or transfer the ownership of such objects where they have reasonable cause to believe... that an imported object has been ac-

quired in or exported from its country of export in violation of that country's laws."

Sotheby's, founded in 1744 by the London bookseller Samuel Baker, has 1,600 employees with offices in London, New York, Paris, Rome, Madrid, Amsterdam and Geneva. The last of the Sotheby family to be involved died in 1861. In 1983 the company was bought by the American developer Alfred Taubman, who owns 65 per cent of the firm. In 1995, its turnover was \$1.48 billion compared with Christie's \$1.41 billion.

Family of man
who died in
knife struggle
'devastated'

By RICHARD DUCE AND CAROL MIDGLEY

A HEADMISTRESS described her total devastation yesterday on learning that her husband was stabbed to death as he struggled with a bank manager's wife at her home.

Soon after identifying the body of David Stuchbery, 49, his widow, Linda, said she had no explanation for the attack on a neighbour, a mother of two boys. The woman was in hospital last night after she suffered "defence wounds" wrestling a knife from Mr Stuchbery and then apparently stabbing him in the chest.

It was unclear whether she had been subjected to a sexual assault. She was briefly questioned by detectives in hospital in an attempt to discover what happened at her detached house in the village of Densole near Folkestone, Kent.

She is in the skin-graft unit at Queen Victoria Hospital, East Grinstead, Sussex. She requires surgery to hand wounds believed to have been inflicted as she fought off the attacker.

The woman, who supplemented the family income by working as an Avon lady, was said to be in a satisfactory and comfortable condition. Her husband has asked that no details about her treatment be divulged. "They want absolute privacy," a hospital spokesman said. It is understood a solicitor was present during the interview by police.

Mr Stuchbery, the father of a 14-year old daughter, was known to have bought cosmetics from her but police are unsure whether he deliberately set out to attack her or whether she was a victim of a random assault. Detectives are investigating reports that Mr Stuchbery was wandering streets near his home from

Sam on Tuesday before he called at the house.

Detective Chief Inspector Chris Sparks, who is leading the inquiry, said he could not comment on whether there was a sexual motive.

Mrs Stuchbery, 47, headmistress of Temple Ewell school near Dover, emerged briefly from her bungalow - about 500 yards from where her husband died - to issue a statement yesterday afternoon.

Supported by Keith Jennings, Kent County Council's area director of Education, she



Stuchbery: stabbed to death in struggle

said: "I and my family are totally devastated by yesterday's events. We feel extremely sorry for the other family involved and wish to express our deepest sympathy. I'm very concerned as to what happened yesterday. The police are conducting a thorough investigation which will reveal the truth."

"David was a very good husband and a marvellous father and whatever has happened is really totally out of character."

'Good neighbour', page 5



Victoria Parnall was the undercover camera operator

Tube privatisation
is postponed

By JONATHAN PEYNN, TRANSPORT CORRESPONDENT

FEARS of a hostile public reaction has forced the Government to shelve a high-profile launch for its Tube privatisation plans.

The negative response to leaked details of the sale alarmed Brian Mawhinney, the Tory party chairman, and Michael Heseltine, the Deputy Prime Minister - both in charge of presenting the policy. They decided to pull the launch ahead of the planned announcement by Sir George Young, the Transport Secretary, in the Commons today.

The Government was hoping the privatisation would prove a vote-winner among long-suffering commuters in

London and the South East. Now it is reviewing whether there is any political advantage in announcing it before the general election.

Officials have twice been told to prepare for Commons announcements - one scheduled for Monday and one for today - but each was cancelled at the last minute. A Department of Transport spokesman yesterday confirmed: "There will be no announcement this week."

Labour said the Government's reluctance to go public had made Tube privatisation "the policy that dare not speak its name". Glenda Jackson, Labour's spokeswoman for transport in London, said that John Major was being forced to press on with it to appease his right-wing critics.

Senior Conservative sources said the Government still intended to announce the sale before the election and that it would definitely be included in the manifesto, but said that the climate had been soured by "inaccurate leaks". Documents had suggested selling the world's most extensive Underground system could yield as little as £600 million net proceeds for the taxpayer.

In a later memo, Sir George admitted to Mr Major that proceeds could even be exceeded by a privatisation subsidy.

Most London Underground senior managers, including Denis Tunnicliffe, the chief executive, are believed to bitterly oppose a sale.

Cabinet to phase in nurses' and teachers' pay award

By JILL SHERMAN, CHIEF POLITICAL CORRESPONDENT

THE Cabinet is expected to agree today to 2 per cent pay rises for 1.3 million public sector workers this April, with a top-up in December.

Ministers will back a recommendation from Kenneth Clarke that higher-than-inflation awards for nurses, teachers, doctors and the armed forces should be phased in over nine months. The review bodies covering these groups are said to have recommended increases of between 3 per cent and 4 per cent, but the Chancellor will argue today that that is unaffordable given the spending restraints.

Phasing the awards will much reduce the net cost but risks confrontation with public sector unions.

The Cabinet has also been put in a difficult position in the wake of Gordon Brown's announcement that he will veto recommendations - rumoured to be up to 6 per cent - from the senior salaries review body, which covers 5,000 judges, military chiefs and top civil servants. The Government is expected to phase those awards as well.

Mr Brown came under fire from judges and military chiefs yesterday after his decision to freeze their pay this year. Judges said the judiciary could face recruitment problems and accused Mr Brown of a vote-catching move using a "soft target".

The Prime Minister accused the Shadow Chancellor of "macho posturing" and Mr Clarke said that the plan to veto recommendations from the top salaries review body was "silly and populist".

Speaking in London, Mr Major said: "It is the sort of macho posturing you get into if you try and make commitments you know people do not believe and he cannot possibly keep." He also ridiculed Mr Brown's decision to deprive Cabinet ministers of £16,000 if Labour is elected. "The Labour Party voted for very large increases last year and now,

without any consultation, they suddenly decide to take this public relations position."

Mr Brown has extended the pay freeze to all MPs, but he said that that would be put to a vote in the Commons soon after a Labour victory.

It emerged last night, however, that Mr Brown's tough line on pay concealed uncertainties about the timing of a pay freeze. Sources close to the Shadow Chancellor agreed that it would be difficult to claw back rises from top public servants if they had received pay rises due on April 1 before the general election. It is more likely that Mr Brown would withhold the second stage of a pay increase.

His announcement was greeted with dismay by Jonathan Baume, general secretary-designate of the First Division Association of top civil servants. "The signal that comes from this is that if you work very hard, you are a very conscientious, dedicated senior public servant, then whatever your performance you should receive no increase," he told Radio 4's Today programme.

Air Chief Marshal Sir Michael Armitage said the announcement was "quite disgraceful" and would "cost them a lot of votes".

Judges complain, page 2
Peter Riddell, page 8
William Rees-Mogg, page 16



"Before you pass sentence on me, my client would like to express how vehemently he opposes Gordon Brown's recent remarks"

Simpson requires
\$1.2m for appeal

O. J. Simpson is expected to appeal against the verdict of the civil case that he was liable for the deaths of his wife Nicole and Ronald Goldman but a technicality of Californian law means he must produce at least \$1.2 million (£750,000) first.

The state law requires that Mr Simpson first provide a guarantee that he will pay what damages he can should the appeal fail.

Facing ruin, page 11

Midweek lottery
sales hit £30m

The first midweek National Lottery draw was made last night with a jackpot of £10 million. The winning numbers were 25, 9, 35, 28, 29 and 31. Bonus number was 37.

Camelot estimated that ticket sales were around £30 million. David Rigg, communications director for the company, said: "The midweek draw has got off to a flying start."

German jobless
highest since 30s

German unemployment has risen to 4.6 million, dashing the Government's hope of an early recovery on the labour market and pushing the Maastricht monetary union targets further out of reach. The January figures show that about 450,000 Germans lost their jobs last month, giving the country the highest unemployment level since the 1930s.

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Close scrutiny fails to elicit the meaning of men in wigs

This is a tale of three strange men in wigs. Everybody at Westminster has seen them, yet their identities are hazy, their function a mystery. So regular a feature are they that we hardly notice them, never study them, and never ask what they do.

Questions to the Secretary of State for Scotland yesterday, when MPs with funny accents shout at each other for an hour on complex matters, is an ideal time to concentrate on something else. So this sketch tried to

answer the question "what is a clerk?" and "what does a clerk do?" After 60 minutes of intense field study, we were none the wiser.

Picture the Commons Chamber. At one end sits the Speaker on a raised dais, her feet (often slipped from their shoes) on a footstool. At her feet is a huge oak table. At a big oak table before her, their backs just out of tickling-reach of her toes, sit three weird creatures, in a row. I shall call them (from her right to left) Creatures A, B and C. All are of similar height in

black suits, black gowns, black waistcoats with black buttons, white wing-collar shirts and white ties. Each wears a full-bottomed wig with a pigtail ending in a kiss-curl. Each wears gold-framed spectacles. In front of each a small drawer, and, on the table, a quill pen and ink. Creature A wears a small Chinese beard and a faintly censorious expression. Creature B is a somewhat portly, with a pursed face across which flits, from time to time, the ghost of a hint of owlish amusement. Creature C, the



MATTHEW PARRIS
POLITICAL SKETCH

youngest, has a sharp nose and brow lined with studious concern. C fidgets a bit. A and B remain motionless. At Madam Speaker's left arm stands a gentleman-in-waiting with iron grey hair and spectacles: Creature D. He wears morning dress with a white pocket handkerchief. This Creature has long, narrow shoes, like a clown. A

blue clipboard on his knee carries the Order Paper onto which he marks a Member's name when he speaks. Occasionally Madam Speaker whispers to him. He appears to have no other function. Creatures A, B and C have Order Papers too; and from time to time remove a *Hand-sard* from a green file and look idly at it. Mostly,

though, they stare into space with strange expressions.

Once, when Michael Forsyth, the Scottish Secretary, accused Labour Glasgow of plans to pour red dye into the Clyde, Clerk B moved his left leg. When Anthony Steen (C, S Hams) suggested that new legislation for Scotland should be weighed, and remain inoperative until the same weight of old legislation had been destroyed, Creature A frowned. As George Robertson complained of delays to the Firearms Bill, Creature B opened his drawer, with-

drew a pair of scissors and cut two pieces from the Order Paper. Might he make a paper plane?

Malcolm Chisholm, a Labour spokesman, ranted about "18 years of Tory failure". Creature B pulled a blue book from his drawer, then returned it, unopened. Creature C then did the same. Creature A never did anything. We conclude that he was the senior Creature.

This was proved after Questions were over. Madam Speaker called two MPs to table their Bills. These were

handed to Creature A. He read out their names in a thin, piping voice, then handed them to Creature B. Creature C leaned down and, picking up a water bottle and a glass, filled the glass. Creature D moved from the Speaker's side, took the glass, and offered it to the Speaker. She drank, returning the glass to Creature D, who returned it to Creature C.

That is all they did. The coming election may bring many changes but, after it, these Creatures will still be there, their habits unchanged.

Labour plan for top people's pay freeze is condemned as unjust attack on soft target

Judges fear salary gap will deter new recruits

BY FRANCES GIBB, LEGAL CORRESPONDENT

JUDGES said yesterday that a Labour pay freeze could damage recruitment because of the gap between earnings of judges and leading lawyers, from whom judges are drawn.

The 1,500-strong judiciary would be among those hardest hit because the Senior Salaries Review Body has been conducting a fundamental review of their earnings. The review, set up after concerns that judges' earnings were falling behind, looked at differentials between judicial posts and also at the relative earnings between judges and lawyers in independent practice.

Lord Justice Saville, a Lord Justice of Appeal, said yesterday that this gap was now huge. When he became a High Court judge, he was earning almost £300,000 a year at the commercial Bar; the High Court post paid about £15,000. Now, top commercial QCs could earn nearer £1 million, ten times the £104,415 salary of a High Court judge.

"I do not complain, because after all judges know the score and they take on the job for

reasons other than money — although it does seem odd that a barrister who is only three years qualified can now be earning the same as a High Court judge with 30 years' experience."

The whole point of the review was to take judges out of the political arena. "But every time it does not suit the political scene, politicians decide to ignore its findings."

A circuit judge said that judges were already suffering the effects of a delayed pay award. In 1992, the review body recommended 20 per cent, and Government accepted four per cent — which was awarded in stages and only recently completed. "Judges are a soft target," he added. "We are talking about a small group of people and small sums of money. But it's a vote-catching move."

He added that it was important that the review body's recommendations were followed if judges' independence was to be preserved.

The Lord Chief Justice, Lord Bingham of Cornhill, said



Lord Justice Saville
Salary: £104,415

recently that unless judges were properly paid, the ranks of the judiciary would fill with "second best" candidates. Judicial salaries had been held at a level roughly on a par with senior public servants.

But the English judicial tradition depended on the willingness of successful practitioners to accept appointment. That could not be relied on if the "dispiriting chasm" between judges and lawyers became too great.

Current salaries are: £132,147 for the Lord Chief Justice; £122,203 law lords; £117,164 Court of Appeal judges; £104,415 High Court judges; £89,118 senior circuit judges; £76,703 circuit judges; £62,611 district judges.

Services warn of pensions injustice

BY MICHAEL EVANS
DEFENCE CORRESPONDENT

FORMER Service chiefs expressed particular concern about the impact of a pay freeze on pensions.

A serviceman's pension is based on his final salary. Senior commanders retiring during a pay freeze would suffer injustice, said Field Marshal Lord Carver, Chief of the Defence Staff from 1973 to 1976.

"If there was an economic crisis and it was a question of making sacrifices for the good of the nation, then there would be no argument, but this is not the case," Lord Carver said.

The pension of Field Marshal Lord Bramall, Chief of the Defence Staff from 1982 to 1985, was based on a final salary of £60,000 but could have been based on £72,000 — the salary recommended by the top salaries review board — had it not been for a government freeze.

He said: "I went through many pay freezes in my time. I'm not against them if the Government of the day feels it is necessary, but they can have a very bad impact on pensions. Something would have to be done to prevent pensions from being adversely affected."

Admiral of the Fleet Lord



Lord Bramall
Salary: £60,000

Lewis, Chief of the Defence Staff from 1979 to 1982, said that a pay freeze would result in the most senior commanders being overtaken by more junior officers on the salary scale. This would discourage officers from seeking promotion. Air Chief Sir Michael Armitage, a former Chief of Defence Intelligence, said that it would drive "good men" out of the Services.

Under current salary scales for the most senior ranks, major-generals and their equivalent in the Royal Navy and RAF receive £66,290, lieutenant-generals are paid £75,000 and four-star generals £101,230. The Chief of the Defence Staff is paid £125,850.

Cabinet chief has most to lose

BY VALERIE ELLIOTT

THE most prominent casualty of Labour's pay freeze would be Sir Robin Butler, Cabinet Secretary and head of the Home Civil Service, who is due to retire next January.

Senior officials in Whitehall said most senior grades would cope with a one-year freeze and that the main disappointment would be for those retiring. Sources dampened expectations that the Senior Salaries Review Board would recommend a 6 per cent rise for civil servants. The figure is expected to be nearer 3 per cent. "When officials have such great expectations from a Labour government, it seems very strange for Gordon Brown to upset them by raising this," an insider said.

Civil service unions were last night seeking a meeting with the Shadow Chancellor. Pensions appeared to be the main area of contention. Without an increase from April 1, Sir Robin's will be worked out on his present salary, between £120,000 to £125,000.

Jonathan Baume, of the Association of First Division Civil Servants, said last night: "In our view, it is vital that the pay of public servants does not become a political football. We recognise the problems any government will face in con-



Sir Robin Butler
Salary: up to £125,000

trolling public spending and public sector pay. But we believe it is unfair to single out one particular group."

Jenny Thurston, of the Institution of Professional Managers and Specialists, said: "We feel it is inappropriate that we are being asked to make the sacrifice when people in the private sector are paid half as much again."

Sir Peter Kemp, a former senior civil servant, was unperturbed: "This has been done before by Labour and Tories."

Senior civil servants are paid according to bands. Band 1 is in the range £38,000 to £59,700; band 9, £80,000 to £113,300; Permanent Secretary, £90,000 to £154,500.

Second Sellafield leak in 24 hours

A second leak of radioactivity within 24 hours has been found at the British Nuclear Fuels site at Sellafield, Cumbria. Rain on Monday washed contamination from a building's roof but the company said no workers had been affected and there was no public danger. At the Atomic Energy Authority's Dounreay plant in Caithness, management said two new areas of contamination had been found on the site.

Gardiner writ

Sir George Gardiner, the Conservative MP dejected by his local party last week, said his lawyers had served a High Court writ calling for the vote to be declared invalid. The Reigate MP is seeking an injunction to prevent the association selecting a new prospective candidate at the general election.

NHS 'rationing'

A working party sponsored by the NHS executive issued a direct challenge to ministers to accept that rationing of health care was inevitable. The NHS will never be able to provide everything required of it and difficult choices must be made, says the group in a report "Priority setting in the NHS".

Two shot in raid

A member of the public and a security guard were shot by gunmen yesterday in a raid on council offices in Bury. Both men were "comfortable" in hospital last night. The three raiders escaped, but it was not known whether any money was taken from the council tax payment centre.

Wildlife shield

Police, customs officers and magistrates are to be given new powers to combat wildlife crime and to impose jail sentences of up to three months for serious offences. The laws, due to come into effect on June 1, will enable police and Government wildlife inspectors to seize cages and specimens.

Masonic check

Would-be magistrates should have to declare whether they are Freemasons, the chairman of the Magistrates Association said. Azme Faller told the Select Committee on Home Affairs studying Masonic influence in the legal system that current magistrates should also be obliged to say if they have joined.

Inquiry on baby

Police were called in to investigate the death of a baby at Burnley General Hospital. Neil and Gemma Taylor, whose daughter, Charlie Louise, was believed to have been born with physical problems and lived for only 13 hours, had complained they had been given no information about how she died.

Threat to ferry

A Scottish ferry crossing, in existence for more than 1,000 years, which was used by Robert the Bruce and James IV, may be forced to close at the end of March because of council cutbacks. The crossing between Nigg and Cromarty last year carried 20,000 passengers, mainly tourists, and 5,500 cars.

Cabinet ministers may cash in on polling day

BY ANDREW PIERCE, POLITICAL CORRESPONDENT

CABINET ministers will be paid a further £4,000 severance money if the Conservatives lose the general election.

At midnight on polling day, the salaries of Cabinet ministers will rise by £16,000. Their severance payments will rise accordingly, even though they will be out of a job within hours if Labour wins the election.

Ministers who are sacked, resign, or lose their job because of a general election defeat are entitled to one quarter of their government salary. At present, Cabinet

ministers are paid £44,000 plus their MPs' salary of £43,000. The £16,000 increase, which will take their ministerial pay to £60,000, will add a further £4,000 to their severance package.

Andrew Mackinlay, the Labour MP for Thurrock who spotted the anomaly, said yesterday that he looked forward to Tory ministers handing in the keys to their chauffeur-driven limousines the day after polling. "But the extra £4,000 they will receive through this technicality will make a very nice down pay-

Tories urge Major to delay until May

CONSERVATIVE MPs gave John Major a strong signal last night that they want him to soldier on until May 1 for the general election. More than 100 MPs at the weekly meeting of the 1922 committee heard an up-to-date report on campaigning plans from Brian Mawhinney, the party chairman.

But there was a loud banging of desks from some three quarters of those present when Bill Walker, MP for North Tyneside, called on Mr Major to play it long. By contrast two MPs who suggested that earlier dates might be favourable were received in silence.

Dr Mawhinney gave no hint of his or the Prime Minister's thinking on timing, but a Conservative lead-

ership source said afterwards: "The clear message was for May."

Dr Mawhinney told MPs the party's private polling suggested that "Gordon Brown's attempt to convince voters that Labour would not raise spending or taxation was not believed."

The MPs called on him to put more resources into exposing the behaviour of high-spending Labour local authorities. "When people mention Labour, ask them where they think the money is coming from," he told the meeting.

Most Tory MPs appear to be fiercely opposed to the idea floated by some strategists of "polling" the Wirral South by-election and going to the country on March 20.

ment on a new car of their own," he added.

Some 40 Labour MPs have tabled a Commons motion, sponsored by Mr Mackinlay, urging ministers to forgo the increase. It reads: "Between midnight on polling day and the time of their resignation from office a few hours later, [ministers'] severance pay would be enhanced by an additional £4,000." It adds: "We consider this unwarranted and unjustified windfall would be deeply offensive to other public sector workers, those on low pay and the unemployed, for whom severance pay entitlement was little more than a dream."

Mr Mackinlay said: "Politicians should not be able to benefit at taxpayers' expense from a pay rise which applies to them for a few hours until they have handed back their seals of office."

The severance payments for the 125 ministers in the Commons and the Lords will run into several hundred thousand pounds. Cabinet ministers who lose their seat altogether will also receive further compensation. Ian Lang, President of the Board of Trade who has a marginal seat, will receive his full £43,000 MPs' salary, plus the £15,000 ministerial severance pay, if he loses. Sir Patrick Mayhew, the retiring Northern Ireland Secretary, will be entitled to a similar amount.

But Michael Forsyth, the Scottish Secretary, will receive only half his MPs' salary as a payoff if he loses his marginal seat because he is under 50.

Farmers snub Hogg offer

BY MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

THE Agriculture Minister, Douglas Hogg, failed to satisfy farmers yesterday despite offers of extra cash and a pledge to put renewed pressure on the European Union to lift the ban on British beef.

Speaking at the annual meeting of the National Farmers' Union in London, Mr Hogg said the selective cull of

cattle at risk of developing mad cow disease would begin later this month, completing the conditions for easing the embargo set at last June's EU summit in Florence.

"We have performed our part of the bargain," he said. "It is now for the Europeans to honour theirs." But he admitted there was unlikely to be a

swift resumption of beef exports.

Sir David Naish, the NFU president, criticised Mr Hogg over the level of compensation. Government penny-pinching was "fueling the contempt" of farmers, he said. "Farmers are not being greedy, they just want proper and fair treatment."

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Cards

Teacher claims sex bias after moral crusade cost her job

By Russell Jenkins

AN English teacher who has three children by different fathers was forced to resign from a Roman Catholic school after affairs with the science master and a teenage former pupil, an industrial tribunal was told yesterday.

Shaïron Rogers, 35, of Bollington, near Macclesfield, Cheshire, says she was hounded from St Peter and Paul's High School, a mixed comprehensive in Widnes, after the headmaster "ranted and raved" about her "suspect morals". She is claiming compensation from the school governors for sexual discrimination and constructive dismissal from her post, teaching English and media studies.

Miss Rogers, described as an atheist, attended the hearing in Liverpool with her lover, Frank Youds, a former pupil at the school and the father of her daughter, Chloe, who was born last March. The couple met at a nightclub when he was aged 16 and had left school to do his A levels at a sixth-form college. She became a mother for the first time by a husband whom she has since divorced. Her second child, Eva, now two, was the result of a short affair with Russell Mason, the science master.

Miss Rogers told the tribunal that headmaster Mike Glover had ranted and raved about her suspect morals. "He said he had heard a rumour about my relationship with a former pupil and he told me 'If you are going to play, play away



Mike Glover: said to have "ranted and raved"

from home". He said it was not suitable behaviour for a teacher at a Catholic school.

Her position within the school grew increasingly difficult, she said. She had an inkling of what was to come when she wrote a letter informing the school that she would be returning from her maternity leave and did not receive a reply.

The teacher, who had been assigned to her classes during the leave told her on the telephone that she had been instructed to carry on teaching the classes beyond the expected return date. Miss Rogers said she felt totally rejected and

apprehensive. On her first day back at school, Barbara Lloyd-Jones, her department head, warned her that Mr Glover was compiling a dossier about her. She said that a meeting with him would be a "horrible experience" and that "if I was sacked I would not get another job in teaching".

The deputy headmaster also urged Miss Rogers to resign in the school's best interests. Instead of her old duties she was given a revised timetable that, in effect, meant she was spending her time covering for absent colleagues.

"This was not a satisfying experience," Miss Rogers said. "I wanted to teach my subjects, which I love. I did not want to be involved in babysitting. It was at this time I felt I had no alternative but to resign as I did not need the stress."

"I had a young baby of nine weeks and I was still breastfeeding her. I just craved in. The only way I could keep my sanity was to resign. I was told I was going to be sacked and I had no alternative."

In the tribunal Miss Rogers was accused by Michael Chambers, counsel for Cheshire County Council, of going out of her way to court publicity. She was no "fainting violet", he said.

Miss Rogers replied: "I believe I have got every right to stand up and speak out about what has happened to me. I was a strong, confident woman before all this happened. I feel I am making a stand for women's rights in Catholic schools."

The hearing continues.



Shaïron Rogers yesterday: she claims she is making a stand for women's rights at Catholic schools

Female GP fondled woman, GMC told

By Audrey Magee

A FEMALE GP indecently assaulted a woman patient and asked her improper questions about her sexual relations, a General Medical Council hearing was told yesterday.

Dr Christine Keown, 46, allegedly "touched up" the 28-year-old patient as she lay on the doctor's couch, naked from the waist down, during a smear test in March 1995.

The patient, known only as Miss A, had collapsed during a visit to her parent's home in the Midlands. She was diagnosed as suffering from endometriosis, a gynaecological disorder in which the lining of the womb collapses.

Miss A, a science graduate of Nottingham University, was referred by Dr Keown to the Royal Surrey County Hospital, where she underwent laser treatment in 1994. Miss A alleges that Dr Keown had been unsympathetic.

Miss A had later attended an appointment at the clinic for a smear test. She alleges that while she was on the couch Dr Keown fondled her intimately. Miss A said: "It really made me feel sick and I did not understand why it was necessary." She said Dr Keown asked her questions about her sexual relationships and about her father, implying that she might have been abused by him.

Nicola Davies, QC, for Dr Keown, suggested Miss A had confused the doctor's actions: she was carrying out an internal examination to establish the state of Miss A's womb lining. Dr Keown denies professional misconduct. The hearing continues.

Wren wins sexual harassment case against ministry

By Derek Gregorian

A FORMER Wren won her claim of sexual discrimination and constructive dismissal against the Ministry of Defence yesterday.

The amount of compensation to be awarded to Lesley Morris, who said she had suffered four years of constant sexual harassment by male colleagues, will be decided today. Ms Morris, 23, is seeking £150,000.

After the decision by an industrial tribunal in Manchester, she hugged her fiancé, David McCullough, 25, and punched the air with delight. "This is the happiest day of my life," she said. "I'm delighted with the outcome, but I'm still affected by what happened. I still have panic attacks and don't sleep very well."

She added: "It's been a hell of an ordeal, but I'm glad I did it. I proved what I set out to do, and hopefully all the other girls that have gone through, and are still going through what I did, may take the example and speak out."

Miss Morris, who lives in Shotton, Flintshire, and works in a factory, had told the tribunal of numerous "horrific" incidents of sexual harassment. They included having her breasts grabbed and being forced to mimic oral sex. She said the male sailors constantly insulted the Wrens.

Her ambition had been to become a physical training instructor. She said that she had gone to HMS Raleigh at Torpoint, Cornwall, to work on rope climbing and pole vaulting. "I was the only

woman in the gym and I was given impossible tasks to do. As punishment I was made to jump in the swimming pool in my white tee-shirt, gym skirt, socks and pumps, which became transparent when wet. I was asked questions like, 'Are you cold, because your nipples are erect?'"

Miss Morris, who had joined the service at 17, had taken a paracetamol overdose and been discharged from the Navy as "temporarily unsuitable" in 1995. "It broke my heart to leave the Navy. It was all I ever wanted to do."

The Ministry of Defence admitted liability in the case yesterday. A spokesman for the Royal Navy declined to comment on the case until it was completed, but said: "All complaints are taken very seriously and are fully investigated."



Morris: still suffers from panic attacks

I am not a threat, Hindley tells radio

By Richard Ford

THE MOORS murderer Myra Hindley said yesterday that she would continue to fight for her release from prison. She insisted that she was no risk to the public and that while in prison she had addressed her offending behaviour.

Hindley, 54, was told two days ago in Durham prison that Michael Howard, the Home Secretary, had confirmed the "whole life" sentence imposed on her in 1990. Her case is reviewed every five years but it is unlikely that any Home Secretary in the near future would risk the public controversy involved in recommending that she be freed.

Her lawyers are considering a High Court challenge to Mr Howard's decision and in a letter read out on Talk Radio, Hindley acknowledged the "heinousness" of her crimes. She was jailed in 1966 for the murders of Lesley Ann Downey, 10, and Edward Evans, 17. In 1987 she admitted to the murders of Keith Bennett, 12, and Pauline Reade, 16.

Hindley wrote: "What I was involved in is etched into my heart and mind — my conscience will follow me to my dying day." She expressed remorse for her crimes but insisted that the time had come when it would be safe to release her. "If I could undo what I have done I would be desperate to do so. I have done all that is in my power to make amends but I know that this is no consolation to the victims' families."

For sale: errant curate's scandalous house of love

By Ruth Gledhill, Religion Correspondent

ONE of the most scandalous addresses of the Victorian age is up for sale, 150 years after it was built as a temple of love by an errant cleric.

Barford Gables in Somerset was known as "The Abode of Love" when the Rev Henry Prince declared himself the new Messiah and installed a bevy of "soul brides" there.

He built the nine-bedroom house in 1849, in the village of Spaxton near Bridgwater, as headquarters for his quasi-religious order, but news soon leaked out of sexual carnalities taking place on a billiard table he used as an altar.

Mr Prince, an ordained Anglican clergyman who was curate of Charlton, Somerset, was defrocked after he claimed to be the Son of God.

In 1856, Prince was said to have deflowered a virgin on the table, watched by an attentive audience including his wife and the girl's mother, while solemn organ music

played in the background. When the girl became pregnant, Prince claimed Satan was responsible.

Surprisingly, the renegade former clergyman was popular with locals. He often ventured out in a coach and four, with outriders blowing trumpets to proclaim the Messiah's approach.

Despite his self-proclaimed immortality, in 1899 he died, aged 88. His distraught disciples buried him upright in the garden to make his ascension easier. They waited in vain for his resurrection.

After 50 years of waiting they turned to another clergyman, John Smyth-Piggott, who ran a London "church" built by Prince to attract new disciples. Arriving in Somerset, he found the charms of the original "Agapemonites" were fading, so he kicked them out and recruited fresh talent. A journalist who infiltrated the Abode of Love in

1910 claimed there were 100 women living there, including the chief "soul bride" who bore three children named Power, Glory and Hallelujah.

Smyth-Piggott was then himself defrocked, but antics continued at the temple until his death in 1927. The soul brides buried their second Messiah beside Henry Prince, but this time there was no search for a replacement. They stayed on and in later years the temple resembled a rest home more than a sex-driven religious cult. The last of the "soul brides" sold up in 1958. Until recently the house was run as a nursing home.

Tim Bennett, of estate agents Gribble, Booth and Taylor in Taunton, which is selling the house for £157,000, said: "I don't think it will be on our books for very long. It is a fine house in its own right but when people hear of its history their ears prick up."

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Former PoWs join Japanese for Burma memorial services

BY MICHAEL EVANS, DEFENCE CORRESPONDENT

BRITISH and Japanese war veterans are to visit cemeteries in Burma together in a historic gesture of reconciliation.

The 34 former soldiers, nine British and 25 Japanese, will attend a series of joint services to commemorate those who died in Burma — 37,000 Commonwealth soldiers and 190,000 Japanese. The veterans, representing the Burma Campaign Fellowship Group from Britain and the All Burma Veterans Association of Japan, will meet this weekend at the start of a 12-day trip.

The Government recently rejected an appeal by former prisoners of war for support in seeking compensation from Japan for their ill-treatment during the Second World War. Yesterday members of the Japanese Labour Camp Survivors Association voiced anger at the trip by former British Burma campaign soldiers. Bill Holtham, chairman of the association, said: "If these veterans want to behave

like brothers in arms, let them do it but I have no intention of forgiving or forgetting."

Mr Holtham, who was a PoW for three and a half years, added: "We don't go in for socialising with the Japanese and we don't intend to join hands with them."

Mr Holtham has written to Jeremy Hanley, the Foreign Office minister, after his announcement in the Commons that the Government would not put pressure on Japan to give compensation to the PoWs. Mr Holtham said he had reminded Mr Hanley that there was no statute of limitations covering crimes against humanity. "All the compensation we ever received was £76.50 each after the peace agreement signed in San Francisco," the association, which represents 9,000 men and women, has sought legal advice to claim £14,000 for every PoW.

Major Philip Malins, of the Burma Campaign Fellowship

Group, which has about 100 members, said yesterday that he had every sympathy for the PoWs but that it was time for reconciliation.

Major Malins, 71, who fought in Burma with the Royal Indian Army Service Corps of the 20th Indian Division, said the joint services represented the culmination of the group's efforts for reconciliation, begun in 1989. Major Malins who has not returned to Burma since the war, said: "For the first time the British and Japanese former enemies will come together on Burmese soil."

Masao Hirakawa, a Japanese veteran who lives in Britain, and the only Japanese member of the Burma Campaign Fellowship Group, said: "My promise to the dead was to work for reconciliation."

Major Malins will be presenting Burma plaques to the British and Japanese ambassadors in Rangoon on Friday next week.



Tracie Andrews, charged with murdering her fiancé, remained silent at the appeal

Woman appeals for road-rage witnesses

BY JOANNA BAILE

LAWYERS defending a woman charged with murdering her fiancé after she blamed "road-rage" attackers appealed yesterday for information on new leads they say they have uncovered.

Tracie Andrews, who was advised to stay silent for legal reasons, attended a press conference at which Pat Alexander, clerk to her solicitor, Tim Robinson, said that a woman social worker had been the victim of a similar attempt to force her off the road. A far male passenger in the car bore a "remarkable likeness" to the man who Miss Andrews said stabbed her fiancé 40 times on December 1 as they drove home to Alvechurch, Hereford and Worcester.

Two other witnesses had heard "two cars travelling at very high speed through a village at the time, very close to the murder scene".

Detective Superintendent Ian Johnston, of West Mercia police, said that the information would not significantly alter his investigation.

Prince's plan for Christian village is turned down

BY DOMINIC KENNEDY, SOCIAL AFFAIRS CORRESPONDENT

THE Prince of Wales's dream of a "Christian village" on the bank of the Thames to celebrate the year 2000 was dashed yesterday when the Millennium Commission rejected the idea.

Instead of a 3,500-seat church, the site next to the old Battersea power station is likely to become an "Autodome" celebrating the history of the motor car.

The Millennium Commissioners refused to shortlist an application for £50 million towards the Christian village, although they looked more favourably on a £10 million bid by Hindus for a multicultural centre in Neasden. The stated reason was that the Christian project, backed by Anglican, Catholic and Methodist leaders, was "not as distinctive as others".

Ken Costa, the vice-chairman of SBC Warburg merchant bankers, who had the idea of building a church larger than St Paul's Cathedral or Westminster Abbey, was astonished. "It beggars

belief," he said. "It is a unique project. The concentration on materialist projects is a sadness and misses the changing mood of this generation."

He queried why the commissioners had agreed to shortlist a £25 million bid by the Hinduja Foundation for a multi-cultural centre in Peterborough. They have also said they may give a £10 million grant to the Swaminarayan Hindu Mission in Neasden for a centre celebrating different world cultures.

Secular projects supported by the commissioners include 100 new British water fountains and troughs, and a "national pondlife centre" in Liverpool.

Mark Elsdon-Dew, of Holy Trinity, Brompton, the Anglican church where Mr Costa is a warden, said: "We are disappointed that so few Christian projects are being supported to celebrate the 2,000th anniversary of the birth of Christ."

Another major idea rejected is the National Biblical Heritage Centre's request for £6 million for a multimedia centre in York based on the Bible. Christians are suspicious that the church projects which have won support tend to be interfaith or social rather than explicitly Christian.

The Prince of Wales's designers had almost completed a plan for the "super-church", using traditional materials to create spires and domes. "It is very rich and uplifting and would be a wonderful ornament to that part of the river," said Brian Hanson, director of the Prince's Projects Office.

□ The commission rejected an application from the museum at Bletchley Park. The museum had hoped to use £8 million of lottery money to expand and tell the full story of wartime intelligence and how the German radio codes were broken.

Bottomley wants minute of silence

THE millennium should be greeted not by raucous jubilation but by a silence similar to Remembrance Day, according to Virginia Bottomley (Damian Whitworth writes).

The celebrations should be a time for reflection, the National Heritage Secretary will tell community leaders meeting in Chelsea today. She believes the millennium should be a period of spiritual regeneration for all faiths.

She said yesterday that it was hoped 2000 would be marked by an additional Bank Holiday — June 12 appeared most favourable.

Resort fears prison ship will hit tourism

BY RICHARD FORD AND IAN MURRAY

PLANS to moor a prison ship off Dorset were in disarray last night after councillors protested that it would spoil the view of Portland harbour and upset tourists.

The setback for the Prison Service came only five days after it announced that it had bought the ship, *Resolution*, and would float it across the Atlantic. Prison Service officials had previously been advised by local planning officials that they would win approval to moor the vessel in the former Navy docks at Portland.

The vessel, to house 400 low-risk prisoners for three years, was bought for over £4 million. It is currently undergoing repairs near New York before being shipped across the Atlantic aboard a huge barge. But first a berth must be found.

Yesterday's opposition by Weymouth and Portland planning committee is likely to be backed by a full council meeting today. Roy Gainey, leader

of the Labour group on the hung council, said: "It is bound to have a serious detrimental effect on the holiday industry of the borough."

The Prison Service has already begun considering other moorings. Under planning law, it could still moor the ship in the harbour, but it does not want to override strong local opposition. The Department of the Environment is likely to arbitrate.

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Stabbed man may have had knife in carrier bag

Villagers are shocked by death of 'good neighbour'

By RICHARD DUCK
AND CAROL MIDDLEY

SHOCKED families in the Kentish village of Densole yesterday helped to piece together the events that ended in a fatal struggle between a bank manager's wife and a quiet, reserved neighbour.

It emerged that David Stuchbery, who was killed by a single stab wound to the heart, had minutes earlier called at the home of another woman in the village but she had refused to let him in.

Mr Stuchbery, 49, left his home at about 8am, clutching a heavy carrier bag. He wandered about the village and at 8.50am knocked at the house of Caroline Pearson, six doors from his home.

Mrs Pearson said: "I opened my window and he asked me if my husband was at home. My dogs started to bark and he left as I would not open the door. Thank God I didn't know him or I might have let him in."

Shortly afterwards Mr



A policeman on guard yesterday outside the house where David Stuchbery was killed in a struggle

Stuchbery, who worked for a cleaning company, arrived at the home of a bank manager and his wife. She had just returned from taking their two sons, aged 6 and 9, to school in a neighbouring village. Her husband had left for work in nearby Folkestone.

The woman knew Mr Stuchbery and police believe

that he was invited into the hallway, where he produced a knife. A violent struggle followed in which furniture and crockery was smashed before the woman, who is 5ft 4in, is believed to have grabbed the knife and stabbed Mr Stuchbery. She ran to a next-door neighbour and the police were called at about 9.40am.

Villagers were yesterday shocked to discover that it was Mr Stuchbery who had died. One neighbour said: "He would not say boo to a goose." Another said: "He seemed very reserved. You couldn't wish to meet a nicer man. We can't believe it; it is such a terrible tragedy."

He had lived in the village for at least 14 years with his wife Linda, headmistress at a primary school, and their teenage daughter.

The injured woman's husband, who is a parish councillor, was at his wife's bedside yesterday. His wife, who supplemented the family income by selling cosmetics from home, was described as well-liked although shy. Christine Reeve, 50, who passed on her Avon customers to her about five years ago, said: "She is a very nice woman. I also knew Mr Stuchbery. He was one of my customers."

Len Fry, 68, a villager, said: "We're all shocked. This is a friendly little community and we all send each other Christ-



Linda Stuchbery speaking about her husband outside their home yesterday

mas cards." His wife, Rita, 63, added: "She's an attractive woman and very friendly."

Detective Chief Inspector Chris Sparks, who is leading the inquiry, said: "There is no suggestion that there was a relationship between this man and woman other than straightforward business." He said that the woman had been able to name her attacker, but

he refused to speculate on a motive.

Police emphasised that the woman was not under arrest. It is understood that her husband arranged for a solicitor to attend the hospital and advise the couple. A police spokesman said: "We are still waiting to get a full statement from her but we have spoken to her a little. It is a long

process because the woman is very traumatised."

"She has been involved in a particularly unpleasant incident and we are having to tread very carefully. She is not under arrest. It is taking a while because her welfare needs are as important as our inquiries."

The couple's sons are being cared for by relatives.

Jobcentres told not to advertise 'sex work'

JOBCENTRES have been banned from advertising activities associated with sex, it was disclosed yesterday.

The revised guidelines, drawn up after complaints that people were being sent for interviews with the "modelling and personal services sector", state: "The Employment Service is not willing to handle vacancies associated with the sex industry, or which involve personal services of a sexual nature."

The guidelines were disclosed in a letter from Leigh Lewis, the head of the Employment Service, to Helen Jackson, Labour MP for Sheffield Hillsborough, who had complained to Gillian Shephard, the Employment Secretary, after a constituent had been sent to an escort agency.

Labour claimed yesterday that loopholes in the new rules meant unemployed people could still be sent for jobs as typists and security staff with such organisations. The Employment Service insisted that if vacancies were "involved with the sex industry, they will not be accepted, full stop".

Fair Lady deal boosts royalties for Shaw estate

By DANA ALBERGE
ARTS CORRESPONDENT

THE settlement of a dispute over royalties from *My Fair Lady* will benefit the three main beneficiaries of George Bernard Shaw's estate by more than £1 million. The British Museum, the Royal Academy of Dramatic Arts and the National Gallery of Ireland will divide some £2 million (£1.2 million) from CBS, the American broadcasting organisation.

The Irish dramatist died in 1950, naming the three institutions in his will, and they have each received several million pounds in royalty payments. The legal dispute centred on worldwide payments on "all forms of exploitation" of *My Fair Lady*.

Shaw's *Pygmalion*, written in 1913, inspired the Lerner and Loewe stage musical, which opened on Broadway in 1956, and the 1964 Oscar-winning film starring Rex Harrison and Audrey Hepburn.

The royalties have proved so lucrative that the Dublin gallery, which Shaw visited regularly as a young man, has used them to purchase paintings by Goya, Fragonard, Renoir, Reynolds, Pissarro and Jack Yeats. Shaw noted that it was to the gallery that he owed "much of the only real education I ever got as a boy in Eire". The gallery receives £150,000 a year through the royalties and estimates the total to be £3 million.

Shaw included the British Museum among the benefi-



Shaw: his play earned millions in royalties

ciaries because he was a regular reader in the British Library. He served on the council of RADA from 1911 to 1941.

Writing in *The Times* in 1992, Michael Holroyd, Shaw's biographer, noted that in the 1950s the Shaw estate was valued at more than £700,000, the equivalent of more than £6 million in the 1990s. "Everything was to change on March 15, 1956, when *My Fair Lady* opened on Broadway with Rex Harrison and Julie Andrews... *My Fair Lady* was to transform the financial position of the Shaw estate."

Announcing the out-of-court settlement on behalf of the trustees of the estate, John Martin, QC, said that "difficulties" had arisen with CBS, which is owned by Sony, over the accounting for royalties from the musical under agreements dating back to 1955.



Audrey Hepburn played Eliza Doolittle in the 1964 film

COMING

The Royal Academy has not voted to take control from members, as incorrectly reported on February 1. A management committee, newly established by Academicians to strengthen efficiency, is in fact a sub-committee of the RA's council (the governing body comprised solely of Academicians), which remains sovereign.

Mr Dominic Byrne

Mr Dominic Lawrence Byrne, consultant gynaecologist at the Royal Cornwall Hospital, Truro, is unconnected with Dr Dominic Byrne, one of three doctors warned by the General Medical Council following the death of a teenage girl in Stobhill Hospital, near Glasgow, in September 1993 (report, February 4).

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Judge praises mother's courage and determination in fighting cancer

£60,000 for woman who lost child in smear-test blunder

By Emma Wilkins

A WOMAN who lost her unborn child after medical staff failed to diagnose cervical cancer in a routine smear test was awarded £60,000 damages at the High Court in London yesterday.

Judith Thurman, 33, who has a six-year-old son, Joseph, was praised by Judge Hedley for the remarkable bravery she had shown in fighting the cancer, which left her unable to have more children.

Mrs Thurman, from Christchurch, New Zealand, underwent a routine smear test in 1988 when she was living in Wiltshire with her husband, who is English. A pathologist at Salisbury Infirmary — now closed — failed to spot abnormalities and the cancer developed untreated for four years. Further tests on uterine tissue in 1991 also failed to detect cancer, the court was told.

When the advanced stages of the disease were finally diagnosed in June 1992 in New Zealand, Mrs Thurman was pregnant with a much-wanted second child. "The medical advice was uncompromising — the child must be aborted or her life lost," the judge said.

Mrs Thurman underwent a hysterectomy followed by months of painful radiotherapy, including internal radiation treatment. Her chances of surviving are good if she remains clear of cancer until the summer — five years after the hysterectomy.

Awarding the sum against Wiltshire and Bath health

authority, the judge said Mrs Thurman's courage and resilience were remarkable. "The experience of being a judge can make one cynical about fellow human beings as so much of a judge's time is taken up with the consequences of human failure and wrongdoing.

"However, every so often one encounters a person whose courage and determination in adversity restore the balance. I hope Mrs Thurman will not feel patronised if I say that she is such a person."

The judge added: "If ever a case demonstrated the inadequacy of money to compensate for loss, then this must be it."

The health authority, now the Salisbury Health Care NHS Trust, admitted liability but contested the amount of damages. In a statement read to the court, it apologised to Mrs Thurman and said procedures had been introduced to prevent similar blunders.

It added that it was recognised by the appropriate scientific authorities that the screening of smears could not be 100 per cent effective.

The damages were awarded on a provisional basis, on the assumption that Mrs Thurman is completely cured. But the judgment left open the prospect of further damages if the disease recurred, or connected problems of osteoporosis or impaired urinary function materialised.

After the hearing, Mrs Thurman, who works as an

electoral agent for a New Zealand MP, said: "I am totally satisfied. The biggest factor for me was that they admitted they'd made a mistake and have put measures in place to stop it happening to anyone else."

"It has been very traumatic having to relive the experiences of the past eight years in court, but it has been worth it. I am planning to have a glass of champagne later to celebrate."

Mrs Thurman said some of the money would be invested to secure the future of her son.

"He often says 'Mummy, why can't I have a brother or a sister?' and I say it is because he is very special and mummy just can't have any more babies. We try not to dwell on it and he is a very normal, active little boy," she said.

Mrs Thurman earlier told the court that she still had occasional bad days, especially when friends had babies. Mrs Thurman, whose father is a farmer, is now separated from her husband. She paid tribute to the "fantastic support" given by her parents and boyfriend Randy Anderson, a computer programmer.

The court was told that Mrs Thurman had impressed doctors with her courage in fighting cancer. Apart from the trauma of the decision to abort her second child, Mrs Thurman suffered scarring and internal deformities which have affected her sex life, the judge said.



Judith Thurman with her boyfriend Randy Anderson at the High Court yesterday

Lives put at risk by sick doctors who soldier on

DOCTORS who think they are invulnerable to illness are putting patients at risk by failing to seek medical help when they need it. Fatal errors have been made by sick doctors, according to a study that blames medical training for instilling the stiff upper lip approach.

The increasing demands of patients also lead some doctors to deny that they are ill and to continue working when their judgment is impaired, according to the report by Professor Walter Holland and colleagues in the Department of Public Health at St Thomas's Hospital, London.

"Without any question, patients are being put at risk. Doctors believe they are there to serve other people. There is no reason why they should be ill," Professor Holland said. He cited the case of Dr Carol Starkie, a pathologist in

■ Doctors should be given more support to encourage them to admit when they are ill and to banish the profession's stiff upper lip attitude, Jeremy Laurance reports

Birmingham, who misdiagnosed 42 cases of cancer in 1992-93 after developing multiple sclerosis. Dr Starkie apologised for the errors after telling officials of her illness and seeking early retirement.

The study, conducted in three health districts, disclosed similar incidents. One doctor confessed that, while depressed, he had given the wrong advice to a psychiatric patient who later committed suicide. Other cases involved sick doctors in casualty departments giving wrong drugs or sending patients home in error. Only when the mistakes

had been made were the doctors told to take time off.

The report says: "Doctors do not seek help because of the stigma of illness, peer pressure and professional loyalty, attitudes of denial learnt in medical training and lack of insight into personal illness. As a result, their health problems, if addressed at all, are not addressed at an early stage and any help given is informal."

A second part of the study, this time conducted in eight districts, found that doctors suffered the same illnesses as a comparable group of man-

agement consultants but reacted to them differently. The doctors were less likely to take time off or to consider themselves ill but when they did, they were absent longer. "The pressures were greater on the doctors to keep working, especially GPs. It is important to realise you may be ill like anyone else and when you are ill for God's sake get treatment," Professor Holland said.

The problem was compounded by unsympathetic colleagues. A GP told the researchers that while in hospital he had been shouted at on the telephone by his partners, who were worried about the practice losing patients. Another who contracted glandular fever said his colleagues had told him he would have to "pay back" all the on-call cover they had provided for him.

Professor Holland complained that the Health De-



Starkie made errors after MS diagnosis

partment was not providing sufficient support for doctors. The Health Department had an occupational health policy for doctors but there were too few occupational health physicians to cope, he said, and most doctors were suspicious of them because of past

breaches of confidentiality. "The Health Department says the problems have got to be addressed through the occupational health service but they don't do anything about it," he said.

The report, published by the Nuffield Provincial Hospitals Trust, calls for locum cover to be provided in every health district to allow sick doctors to take time off.

About two thirds of doctors who take sick leave are suffering from psychiatric problems, and the report says treatment should be offered outside the district where they work to save them embarrassment and to make them more inclined to seek help.

□ Protecting and promoting doctors' health, Nuffield Provincial Hospitals Trust (39 Cavendish Street, London W1M 7RD; ES)

Sporting students swap side step for two step

By Dominic Kennedy

A CAMBRIDGE college has appointed a dancer-in-residence to improve the performance of its rugby footballers and oarsmen. Sara Matthews has been coaching undergraduates in modern steps and routines at the invitation of the new president of Queens' College, Lord Eatwell.

The Labour peer and economist, governor of the Contemporary Dance Trust, sees no contradiction in listing his recreations in *Who's Who* as classical and contemporary dance and Rugby Union football.

Ms Matthews, 31, has been invited to give two weeks of free classes. If she can encourage enough members of the sports clubs to dance as a way of improving fitness, a permanent dance coach may be employed. Queens' founded in 1448, has a high proportion of students from state schools and is regarded as one of the less sporty colleges.

Its old boys include the scholar Erasmus, the writer Stephen Fry, and Mike Foales, the first Briton in space.

The college received a £1,000 grant from the Peter Hamlyn Foundation, which supports education and the arts. The college's application stated: "Cambridge is richly endowed in music and drama but there is no dance in the university." The grant would help to "redress the balance".

Lord Eatwell said: "This short residence is in the nature of a feasibility study to assess the demand for the highest quality of dance teaching within the university. If the experiment should be a success then it may be extended in the future."

Sara Matthews is a contemporary dancer who has danced, taught and choreographed with the Rambert dance company.

Ms Matthews said: "We are talking to the leaders of the rugby club at the moment because we want to do some special sessions with them, but one or two of them are already starting to drift into the normal classes."

"I'm trying to get them to come to the beginners' classes, but it all has to fit in with their training. We have a variety of lessons: now because there are some quite experienced dancers and some complete beginners and all sorts in between."

Steven Sander, 19, a soccer player who has started dancing, said: "We have football matches but we don't have training sessions so this will improve my agility and make me more supple."

Ben Gowrie, 21, a medical student and member of the boat club, said: "I want to improve my leg muscles and become more agile and I think dance will help."



Ronnie Scott: depressed

Jazzman died after incautious overdose

The jazz club owner Ronnie Scott died of an "incautious overdose" of prescribed sleeping tablets mixed with alcohol, a coroner decided yesterday.

Dr Paul Knapman recorded a verdict of misadventure after Dr Philip Hopkins, Mr Scott's GP, said he did not believe the 69-year-old musician had killed himself, even though he had been depressed particularly by problems with his teeth, which prevented him playing the saxophone. He was found at his home in Chelsea on December 23.

Dail resignation

The former Irish government minister, Pádraig Gallagher, is to stand down from the Dail at this year's general election. Mr Gallagher, 48, of Fianna Fail, a Co Donegal representative for 16 years, wants to concentrate on his duties as a member of the European Parliament.

Youth convicted

Terence Rooney, 18, of Liverpool, was jailed for life at Stafford Crown Court for the murder of Christopher Greenaway, 16, in Stoke Heath Wood, Oxfordshire, in 1988. He was convicted of attempting to murder John Jones at another institution. He denied both charges.

Blanc rejection

Raymond Blanc's plans for major extensions at Le Manoir aux Quat Saisons, his award-winning hotel and restaurant at Great Milton, were rejected by South Oxfordshire District Council. Proposals included larger kitchens and staff quarters, 14 extra bedrooms, a spa and a gymnasium.

Out of the desert

Ezio, the obscure rock band whose record *Canoe Today* was chosen by Tony Blair as one of his Desert Island Discs, has signed a deal with MCA to make five albums. The Labour leader expressed delight that the Cambridgeshire band's music was to become available to a wider audience.

There's the rub

Eight women police officers in South Wales are being issued with £350 tailored bullet-proof vests because standard armour is causing "jogger's nipple". Chief Inspector Bruce Clarke said: "When you are on an eight-hour shift the last thing you want to worry about is your nipples."

Why brains bother with pursuit of the trivial

By Nigel Hawkes

SCIENTISTS have explained why some people remember where they were when they heard that President Kennedy had been shot. A mechanism designed to make important memories stick also sweeps up circumstantial details — such as what one was wearing — and makes them stick, too.

Memory is formed by changes in the synapses, the links through which the brain cells communicate with each other. A pattern of synaptic change represents the memory of the experience. But this memory soon disappears unless made permanent by a process called long-term potentiation.

Experiments by Dr Richard Morris of the University of Edinburgh, and his German colleague Dr Uwe Frey, have shown that the process strengthens the trivial along with the significant, they report in *Nature*. They stimulated the synapses electrically to create "memories", and observed that proteins were synthesised by the brain cells as a result. They showed that these proteins, which cement memories permanently, affected all the synapses.

An event memorable enough to be permanently stored will cause irrelevant details to be remembered as well. Normally, the memory of a room, for example, would last a few hours: once locked in place by the wave of protein produced by a memorable event occurring there, it can remain for ever.

North Sea cod stocks gone in two years, say scientists

By Nick Nuttall, Environment Correspondent

COD could be commercially unviable in the North Sea in as little as two years, scientists said yesterday.

A research team, led by Robin Cook from the Scottish Office's marine laboratory in Aberdeen, found that up to 60 per cent of the fishable cod population was removed from the North Sea each year — an unsustainable rate.

Fishermen's leaders in Scotland, however, dismissed the research. Tom Hay, chairman of the Breakaway Fishermen's Association, said: "Scientists had been issuing the same gloomy message for years: 'Fishermen coming back from sea say there is more fish in the sea than ever before.'"

The scientists say in the journal *Nature* that the size of

the spawning stock has fallen from an estimated 350,000 tonnes in the late 1960s to about 75,000 tonnes. Even if fishing was reduced to a sustainable level, stocks would remain at risk. "Without a substantial reduction in the rate of fishing, the North Sea cod stock may well collapse," they say.

One of the authors, Alan Sinclair of the Canadian Department of Fisheries and Oceans, said yesterday: "If for two years in a row the rate of recruitment of young fish falls, then there will be very little cod left in the North Sea." He likened the plight of North Sea cod to that of the once plentiful Newfoundland stock, which collapsed "very quickly" in the early 1990s. The international

Council for the Exploration of the Sea, which advises the European Commission and fisheries ministers, has recommended that fishing rates be reduced sharply. The researchers support the council's call.

However, the Ministry of Agriculture, Fisheries and Food disputes claims that the fishery is in imminent danger of crashing. The latest estimates were that 350 million cod aged one year or older were in the North Sea, it said yesterday.

"The time to take the last cod may be many years off," a spokesman said. "However, we cannot dismiss the idea that in the long term North Sea cod may be unable to withstand current fishing levels."

Mr Hyman Berger: an apology

THE TIMES apologised in the High Court yesterday to Mr Hyman Berger, a retired solicitors' clerk, over an article published on April 12 last year.

The article, written by Bernard Levin, was headed "Deliver us from hatred" and appeared below a large cartoon, depicting two old men sitting in wheelchairs fighting each other with walking sticks in a graveyard.

Mr Barjinder Sahota, for Mr Berger, said: "The article was a general treatise on hatred and how all-consuming and undesirable an emotion it was. It went to some lengths about the case of Maurice Berger who, in February 1996, at the age of 75, was given

a 30-month suspended prison sentence for assaulting his brother. Hyman (who was then 81).

"However, what the article failed to distinguish was that Hyman was a victim in the assault and does not himself bear any hatred towards his brother. It was therefore inaccurate to associate whatever emotions motivated Maurice to attack his brother as being felt by Hyman, and they were both quite wrongly 'barred with the same brush'."

"The defendants accept that Hyman does not hate his brother and unreservedly withdraw any suggestion that Hyman bears or shelters any of the characteristics associated with someone who hates his brother. Although it was

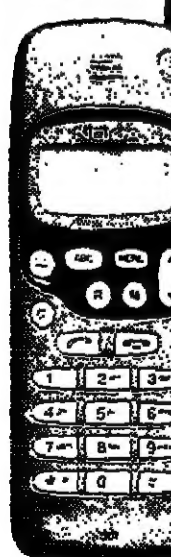
not known to the defendants when the article was published, Hyman had written to the court to ask for leniency in sentencing the brother who had attacked him with a metal bar. This may have contributed to the judge giving a suspended sentence to Maurice as opposed to a custodial one."

Mr Sahota said the defendants apologised to Mr Hyman Berger for the real hurt and embarrassment that the article caused and had agreed to pay him substantial damages plus his legal costs.

Miss Patricia Burge, for The Times, and Bernard Levin, said they accepted everything which had been said on Mr Berger's behalf and endorsed the apology.

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Santer ridicules Major's attack on social chapter

By Charles Bremner and Polly Newton

JACQUES SANTER, president of the European Commission, struck back yesterday at John Major's campaign against the social chapter, dismissing his argument as caricature.

He rejected all the main points made by Mr Major in Brussels on Tuesday, when the Prime Minister depicted the social chapter as a force for strangling the European economy and putting millions out of work. "Let us stop the caricatures," Mr Santer said.

Usually emollient, he has taken an aggressive tone towards Mr Major over recent months as the Government has distanced itself from the rest of the European Union. Mr Major made a point in his speech of dismissing as pure myth Mr Santer's charge last December that the Government's social policy amounted to condoning Dickensian "sweat shops".

Mr Santer said the social chapter, from which Britain has an opt-out, was not the enemy of competitiveness but complementary to it. "The social chapter is a platform for good industrial relations which, as experience in many member states shows, can be harmonious, mature and non-conflictual."

"The social chapter is not a symbol of over-regulation. Only two pieces of legislation have been adopted and both of them are very important — the directive on parental leave and the directive on information and consultation of workers." Mr Major acknowledged

that the social chapter, enshrined in the 1992 Maastricht treaty, had so far produced only those two pieces of legislation but he depicted it as a Trojan horse for the creation of a stifling new bureaucracy.

Yesterday the Commission accompanied Mr Santer's statement with a "fact sheet" that ridiculed Mr Major's claims. "There is no mass of legislation emanating from Brussels, choking businesses to death. Nothing could be further from the truth. The bulk of legislation which regulates the labour market is of national origin," it said. It added that "pay and trade union rights are specifically excluded from the social chapter".

Mr Major's speech, heralded as an attempt to win Europe over to Britain's argument, made barely a ripple on the Continent. The governing classes in Brussels and other EU states consider business with Britain to be in abeyance until after the election. The most desired result of the vote is a strong majority for either big party. This, it is deemed, would allow a Labour or Tory prime minister to act without fear of his Eurosceptic wing.

Yesterday Labour sought to dismiss the suggestion that it was committed to taking Britain into a single currency in 2002. Robin Cook, Shadow Foreign Secretary, told businessmen in London that the party was keeping its options open.

In an interview on Sunday Mr Cook appeared to suggest

that a Labour government might sign up to a single currency when it became legal tender on the Continent, provided that the system was operating successfully. He operating successfully. He and his colleagues in the party leadership were seen as tying Labour to a particular entry date. Mr Cook has told friends that there has been no shift in his sceptical stance on the single currency.

In a speech to the Centre for European Reform, he repeated his view that in the long run it would become increasingly difficult for Britain to stay out if the single currency succeeded. But he added: "This emphatically does not mean that Labour is committed to signing up to the single currency in 2001, 2002 or 2003."

The party was keeping its options "every bit as open" for entry in those years as for the possibility of Britain joining the first wave of a single currency in 1999. He acknowledged that the decision on whether or not to join a single currency would be "a complex and difficult judgment." But Labour would take that decision on the basis of a "hard-headed assessment of economic reality", whereas the Tories would act out of "hysteria and prejudice".

Melvyn Rifkin, the Foreign Secretary, had earlier criticised Mr Cook for implying that Britain would have to join a single currency if it was working successfully in other countries. It was an "absurd" position to take, he said.



John Major at the awards ceremony yesterday where he met Craig Kelly, above right



You're the winner, young fan tells Major

By Daniel McGroarty

JOHN MAJOR is certain that he is about to win the general election and keep his job as Prime Minister. One of his youngest supporters, Craig Kelly, has told him so.

Craig, 14, from County Down, was one of 150 children honoured yesterday for their courage in overcoming illness or disability or for their efforts in their community. Mr Major handed out the Children of Achievement Awards at a ceremony in Westminster. As he bent down and hugged Craig, who uses a walking frame, the boy told him: "You are doing a good job running the country. I am sure you will carry on."

After Mr Major had helped him to negotiate his way off the stage, Craig said: "I am a big fan and everyone seems to be horrible to him at the moment, so I thought I would cheer him up."

Mr Major stood for over 90 minutes on the stage, flanked by entertainers and television personalities, often crouching so that he could talk to the children. He said that the awards yearbook, detailing the lives of the nominees, was a "catalogue of courage".

Political funding inquiry rejected

By James Landale
Political Reporter

AN OPPOSITION demand for a fresh investigation into how political parties are funded was easily defeated by the Government in the House of Lords last night.

Peers voted by 185 to 135, a government majority of 50, to reject a call for the issue to be looked into by the Nolan Committee on Standards in Public Life or by a similar body.

Tory peers said that an inquiry was unnecessary, but Labour and Liberal Democrats said that party funding needed to be more transparent to restore public confidence in the political process. Lord Jenkins of Hillhead, the Liberal Democrat leader in the Lords, who moved the resolution, said there was a need for disclosure because "criminal, semi-criminal and foreign money" found its way into political subscriptions.

The Liberal Democrats' overriding public case for full disclosure even if that involves a few embarrassments, where as the Conservative Party believes that the scale of their embarrassments is such that they must cling to secrecy until the last possible moment.

Lord Richard, the Labour leader in the Lords, said his party wanted full disclosure of donations over £5,000 and a ban on overseas and large secret donations. He described the "dubious and disreputable" way in which the Tory party raised funds, and listed several fraudsters and fugitives from justice who had given the party money.

"This carries with it an unmistakable odour of sleaze and corruption, particularly in the light of the fact that an examination of the honours lists under the Tories illustrates a high proportion of recipients of knighthoods as being personal donors or linked to companies who have contributed to the Tories."

Lord Cranborne, the Tory leader in the Lords, rejected the charge and instead asked why Labour was so secretive about those who donated money to the "blind trust" used to fund Tony Blair's personal office in Westminster.

Blair fishes for compliments in Wirral walkabout

By Russell Jenkins

TONY BLAIR emphasised his appeal to the middle-class voters of Wirral South yesterday with a stage-managed walkabout. The Labour leader was kissed by a former Miss Great Britain finalist, served chips smothered in tomato ketchup to a mother and toddler and posed for photographs with firefighters.

His day on the hustings was a forerunner of what the electorate can expect in the general election. Mr Blair's route had been painstakingly checked for potential snags and shopkeepers vetted for their affiliations. Nothing was left to chance.

Earlier he sat in the back bar of the Cheshire Cat public house in Thornton Hough for a question and answer session with an audience of mostly former Tory voters considering switching to Labour. Brian Mawhinney, the Conservative Party chairman, said the pub name was apt

since Mr Blair "grins all the time and says nothing of any substance". At Mr Chips, the fish shop, run by Tony Blair, a namesake, the Labour leader took off his suit jacket and served Emma Crowe, with her children Oliver, two, and Poppy, ten months, chips with lots of ketchup and not much vinegar. Mr Blair turned to the accompanying cameras and said: "If the press would only leave, I could make a pig of myself."

Only one man managed to escape the "good news cordon" around Mr Blair. James Perks, a pensioner, told him that Labour's policies would mean embracing the single European currency and put an end to sovereignty.

Afterwards Margaret Bracegirdle, 66, a former deputy head teacher and Tory voter who lives in Heswall, said: "I am definitely changing this time to Socialist. It is time we gave them a chance."

A 24-hour "rapid response" advertising unit has been created by Labour to enable the party to respond to swings in public opinion and to Tory campaigns. The unit, modelled on similar initiatives in the United States, will be staffed by advertising copywriters, planners and media buyers.

The aim is to place advertisements based on breaking news stories or urgent topical issues in the national press on the day that the papers carry editorial reports on them.

Lord Cranborne, the Tory leader in the Lords, rejected the charge and instead asked why Labour was so secretive about those who donated money to the "blind trust" used to fund Tony Blair's personal office in Westminster.



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Lilley: inviting tenders

US firms bid for job search contracts

By Arthur Leathley

AMERICAN firms that run compulsory job-seeking schemes in the United States are planning to export their skills to Britain. Many of the firms are encouraged to enter the British employment market by bidding for government contracts that will offer them bonuses to find work for single parents.

Pilot projects giving single parents extra help in finding work will begin next month with the American employment experts offering advice on everything from childcare and the financial benefits of working rather than claiming income support.

Among the companies bidding for the contracts are those that have operated similar schemes, including the Californian GAIN project under which claimants are compelled to take part in the scheme. However, ministers insist that the British scheme will be voluntary and that people who refuse help will not lose income support.

Under the privatised part of the Parent Plus scheme, the companies will be paid by results if they find jobs lasting more than two months. Private companies will operate four of the 12 pilot projects beginning in April. Peter Lilley, the Social Security Secretary, will today invite tenders for the private sector parts of the scheme, which is intended to reduce by 100,000 the number of single parents claiming income support.

Has Labour learnt from pay policy of the 1970s?

Gordon Brown's proposal to freeze "top people's" pay is a bad omen for a Labour government. It smacks of the pseudo-equalitarianism of the incomes policy era of the 1970s. The well-off are supposed to make sacrifices to persuade others to accept low pay rises. This is just the type of empty populist gesture that Labour was supposed to have left behind.

The Brown camp argues that he had to demonstrate, not least to Shadow Cabinet colleagues, that a Labour government would not only stay within cash limits but was also willing to take tough decisions in choosing between expenditure priorities. Labour oppositions have in the past made wide-ranging promises to public sector unions that they have then had to fulfil in office, at considerable cost to the Treasury and the taxpayer, as in 1974-75. That, at least, has been avoided and Mr Brown has been prepared to be candid and risk unpopularity over public spending.

No government can commit itself to implementing in full the recommendations of pay review bodies. The Cabinet is today likely to agree to a phasing of the recommended rises. That is normal and should help to ensure that total pay bills remain under control. But even phasing allows a gradual implementation of changes in the structure of pay, including the introduction of performance

links, which the review bodies from time to time recommend.

However, Mr Brown's proposal goes much further. He argues that a Labour government should offer a lead, coupling fairness with toughness, if lower paid public sector workers are to be persuaded to accept small pay rises. But freezing the pay of senior civil servants, judges, military officers, ministers and MPs goes much further than just equality of sacrifice. A freeze would undermine the work of the review bodies and result in a narrowing of pay differentials. And after the freeze in the first year of a Labour government, there would be the usual problem of "re-entry": would a catching-up then be allowed? Or would the need for further expenditure restraint produce another freeze? Many of the public sector "top people" are anyway not paid well by private sector standards and a freeze would increase the gap.

Much will depend on what form of phasing the Government announces today. Some increases may have been implemented before election day. Later stages of phasing may be frozen. Labour Cabinet ministers would apparently be expected not to take the pay rises already approved and due in April. The big increase in MPs' pay has been

implemented, though Labour MPs would be expected not to accept the further, smaller rise due this year.

Financially, a freeze would be irrelevant since £20 million at most, and probably well under half that, would be saved. This is the politics of guilt and exhortation that so discredited past incomes policies. Asking judges, generals or permanent secretaries to "set an example" will not help low paid clerical staff. Instead, the proposal revives the idea of a "fair" rate of pay which stokes up envy and destructively high pay claims.

Mr Brown presumably wanted to be conciliatory to Unions and other unions, however much it irked the First Division Association. But in the long term it is more likely to stir up public sector unions than to appease them.

Labour has a fair complaint against the tactics adopted by the Government, and it could gain in the short term, at least by creating some distance from the Tories on a populist issue. Indeed, Tony Blair told the Shadow Cabinet last night that the announcement had gone well in Wirral South. But this is the behaviour of opposition-minded politicians, not of potential ministers trying to show they have learnt the lessons of past Labour failures.

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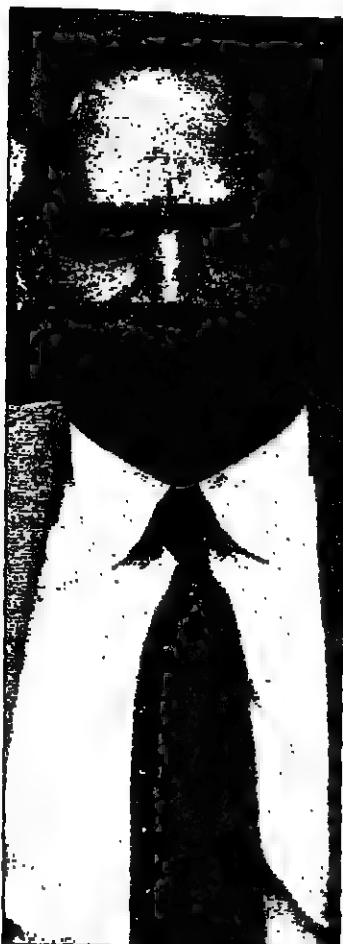
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OJ Simpson facing ruin after \$8.5m court defeat

FROM GILES WHITTELL IN SANTA MONICA



Simpson: bodyguards led him from court to car

THE defeat of O.J. Simpson in his second trial has left him facing financial ruin and Americans contemplating a racial rift as deep as any since the case began with two killings in 1994.

The unanimous verdict in the civil action, and the award of \$8.5 million (£5.2 million) damages against him, by a jury of nine whites and no blacks was the bluntest possible rejection of Mr Simpson's acquittal by a mainly-black jury in his murder trial 16 months ago. It leaves him free but vilified and paves the way for punitive damages that could strip him of everything except his pension. "Thank God for some justice for Ron and Nicole," Fred Goldman said after the verdict, referring to his murdered son and Mr Simpson's former wife. "Our family is grateful for a verdict of responsibility, which is all we have ever wanted."

His words found echoes throughout prosperous middle-class America, where a white majority condemned the first Simpson trial as a shameful parody, warped by the "race card" and ignoring hard scientific evidence. But many blacks saw Tuesday's reversal of fortune as an object lesson in white domination of the justice system.

In an ABC poll taken minutes after the verdict was relayed to television cameras, barely one in four of those who agreed with it was black. "The fact that there were

no blacks on the jury means he did not have a trial of his peers," Danny Bakewell, of the Los Angeles Brotherhood Crusade, said.

A Los Angeles Times survey indicated a city even more polarised than the rest of the country, with 70 per cent of whites but only 10 per cent of blacks saying that they believed Mr Simpson killed Nicole Brown Simpson and Ronald Goldman.

Police outside the Santa Monica courthouse were ready for riots but had to cope only with jubilant and

He lied and lied and lied and he got caught, got caught, got caught

largely white crowds pressing for a glimpse of the victorious Goldman family and booing Mr Simpson as his bodyguard led him to his car.

Minutes earlier, Mr Goldman had cleaved his fist and yelled "Yes!" so loudly that he was admonished to control himself as the bailiff read the jury's simple answer to the question: "Do you, by a preponderance of the evidence, find that O.J. Simpson willfully and wrongfully caused the death of Ronald Goldman?"

A white "Y" appeared in the

window of a mobile studio linked to a microphone in the courtroom, from which television cameras were banned, confirming the result to a nation torn between watching the verdict and the State of the Union address.

Staring across the courtroom through tears of relief, Kim Goldman, Ronald's sister, yelled at an impassive Simpson: "Oh my God, you're a murderer!"

Arms held aloft in triumph, the Goldman family emerged from a courtroom bathed in television lights to hear a crowd of perhaps a thousand chanting the Queen song, *We Are The Champions*. They were led by a slow phalanx of police to a nearby hotel where, choking back sobs, Mr Goldman said that the verdict had been reached "with honesty, dignity and complete truth", and that "Ron would be proud".

Despite covering familiar ground, the four-month civil trial differed radically from the criminal one in its speed, intensity and discipline. Crucially for the victims' families, Judge Hiroshi Fujisaki ruled out the "Dream Team" defence tactic of putting the police on trial instead of Mr Simpson.

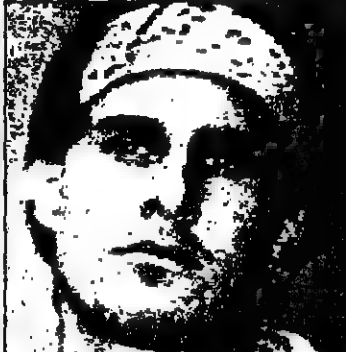
This time the case hinged not on Detective Mark Fuhrman's use of the word "nigger", but on a four-day showdown between the fallen hero of American football and a fiery lawyer, Daniel Petrocelli. Forced to give evidence or face



Fred Goldman with his daughter Kim, centre, and wife Patti, after they heard the verdict

contempt-of-court charges, Mr Simpson appeared to seal his own fate by swearing that he had never beaten his wife despite having confessed to just that in 1989, and by insisting that he had never owned a pair of "ugly ass" Italian shoes whose prints were found at the crime scene. When shown 31 photographs of him wearing them, he called the pictures fakes.

"He lied and lied and lied," Mr Petrocelli said in closing arguments. "And he got caught, got caught, got caught."



The victims, Nicole Brown Simpson and Ronald Goldman

Justice the loser, page 16

Ruling widens black-white divide

FROM QUENTIN LETTIS IN NEW YORK

THIS time it was black America's turn to be outraged. This time it was the whites who ran into the streets to honk car horns, clap "high fives" and holler "Yes!" at the outcome of the O.J. Simpson case in a California courthouse.

Just as happened two years ago in the first Simpson trial, the jury's decision, created racial rancor across the United States — once called humanity's great melting pot. What should never have been more than a grubby little slaying on Times Square's peepholes yet again proved a most contentious killing.

Official America might as

like it and the television networks, which did so much originally to promote this tawdry case, might try to make the nation watch the country's President as he gave a sober, set-piece speech. However, in the hours and the weeks and the echoing caverns of American common opinion, the outcome boiled down, again, to black and white.

In New York, theatregoers sacrificed their night out to watch news of the ruling on the giant television screen in Times Square. "Guilty at last," a young white woman said. "They got him!" However,

a couple of miles north, in Harlem, the reaction was very different: anger that O.J., carrying the black man's burden, had been tripped up by the Goldmans' white lawyers. "They were never going to give up," sighed a black friend in despair. "But how can he be found innocent in the murder trial and then have to pay damages?"

It was a black lawyer, Johnnie Cochran, who played the race card in the first trial and attacked the suspect past of a white cop. "This chapter is now over," said Mr Cochran after Tuesday night's result. Dream on, brother. He

should have been in Downtown Saloon in Fort Lauderdale, Florida, where white customers bayed delight that "justice" had been done. He should have been at Mezzaluna, the Los Angeles restaurant where Nicole Brown Simpson ate her last supper, as diners stopped talking and watched the news live on television.

It did not help that the sole black juror had been kicked out in the last week over a smugged juror questionnaire. "How can you have a California jury without a single black?" asked Mr Simpson's supporters.

Eight questions that jurors had to answer

THE jurors answered "yes" to seven questions. They will now have to consider punitive damages in respect of questions 3, 4, 6 and 7. If they had said "no" to 1 and 5, they would have ignored the other questions. They were asked:

Do you find by a preponderance of the evidence that defendant Simpson:

1. Willfully and wrongfully caused the death of Ronald Goldman?
2. Committed battery against Nicole Goldman?
Do you find by clear and convincing

evidence that defendant Simpson:

3. Committed oppression in the conduct upon which you base your finding of liability for battery against Ronald Goldman?
4. Committed malice in the conduct upon which you base your finding of liability for battery against Goldman?

Do you find by a preponderance of the evidence that defendant Simpson:

5. Committed battery against Nicole Brown Simpson?
Do you find by clear and convincing

evidence that defendant Simpson:

6. Committed oppression in the conduct upon which you base your finding of liability for battery against Nicole Brown Simpson?
7. Committed malice in the conduct upon which you base your finding of liability for battery against Nicole Brown Simpson?

8. Asked how much money Goldman's parents should receive for loss of their son's companionship, jurors decided on \$8.5 million.

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Rebels set Mobutu two-week deadline to give up power

By SAM KILEY, AFRICA CORRESPONDENT

ZAIRE'S rebel leader yesterday gave President Mobutu two weeks to relinquish power or face removal by force in an offensive that has gathered momentum and confounded foreign mercenaries.

Laurent Kabila, the leader of the Alliance of Democratic Forces for the Liberation of Congo-Zaire, said in the palace in Gombe — "liberated" from sub-Saharan's longest reigning President — that Mr Mobutu had until February 21 to stand down. "Otherwise he will face a major offensive to remove him," the veteran rebel leader said.

In the past the campaign was little more than a dream. Faced with a threat of communist expansion in Africa, Zaire's leader enjoyed the protection of Western powers who turned a blind eye to his abuses of power in a territory the size of Western Europe.

"Unless Mobutu can come to the table and agree to relinquish power, I will have him removed by military force. The only option left for Mobutu is to negotiate a handover," Mr Kabila said.

Mobutu Sese Seko Kuku Ngbendu wa za Banga, changed his name from Joseph Desiré Mobutu during his drive for "Africanisation" in the 1970s. The name translates as the "cockle in the farmyard".

With the end of the Cold War, Mr Mobutu has few friends abroad and is fighting for his political survival against the most successful uprising in his 31-year tenure in office, and against cancer which is believed to have



spread throughout his body. This week he has been in Rabat, visiting his old supporter, King Hassan of Morocco. In 1977 and 1978, Morocco sent troops to put down anti-Mobutu uprisings but this time his pleas for help are unlikely to be heeded.

His enemies are east Zaire's rebel fighters, many of whom have fought in civil wars in Uganda and Rwanda and have driven Zaire's regular army ahead of their advance with little trouble. In nearly four months of fighting, Mr Kabila's forces have taken a

swath of eastern Zaire stretching more than 600 miles, virtually from the Zambian border in the south, towards Sudan and Uganda in the north.

Last month the Government launched a counter-offensive backed by an estimated 300 mercenaries, many of them Serbs and Croats. European soldiers are unused to the disease, heat and poor food of Central Africa. So far the mercenaries have proved no match for the rebels, who are dominated by ethnic Tutsis trained in Uganda and Rwanda

and who are believed to have been advised by guerrilla experts from Eritrea and Ethiopia.

"The [mercenaries] have not been useful to the Government. We have killed seven of them," Mr Kabila said. He said that in the south his forces had advanced within 25 miles of the town of Moba, which is 300 miles from Lubumbashi, the capital of the mineral-rich Shaba province. Control of Moba and of Kalemie, which fell to the rebels earlier this week, gives Mr Kabila a commanding strategic advantage over government forces in Shaba. Many of the region's exports are sent via Moba and Kalemie and the rebels now have a route which can take them to Lubumbashi.

Red Cross pulls out Rwanda workers

By OUR FOREIGN STAFF

THE Red Cross said yesterday that it was withdrawing most of its aid workers from Rwanda after the murder of five United Nations human rights workers in the country.

One of the victims, a Briton, was named as Graham Turnbull, the leader of a team of UN human rights monitors in the Cyangugu region where the ambush took place.

Twenty-five delegates would leave for Nairobi in the next two days with only a core staff of six remaining in Kigali, the capital, the International Federation of Red Cross and Red Crescent Societies said. "This is not a decision we take lightly," said a spokesman. But it was necessary after the escalation of violence over the past weeks.

Gunmen ambushed the UN workers in southwestern Rwanda on Tuesday. Four, including Mr Turnbull, were killed immediately, the fifth, an interpreter, died later. The others were a Cambodian and three Rwandans.

They were killed while visiting the commune of Karengera in Cyangugu, about 200 miles southwest of Kigali on the Zairean border, in a marked UN vehicle. There were no details of who carried out the ambush, but Hutu extremists are suspected.

About 40,000 Rwandan refugees fled encampments in the Shabunda area of eastern Zaire yesterday after reports that rebels had taken a nearby town, the UN High Commissioner for Refugees said in Geneva.

Local authorities said the refugees left after it was reported in the area that Karahunga, a small town about 25 miles northeast of Shabunda, had fallen.



Two Greenpeace members inspect a crack in the Larsen B ice shelf of Antarctica

Big rifts appear in Antarctic ice shelf

By NIGEL HAWKES
SCIENCE EDITOR

HUGE cracks have appeared in a vast Antarctic ice shelf whose northern section collapsed two years ago, an Argentine expert says.

Dr Rudi del Valle, director of geology with the Argentine Antarctic Institute, said he was convinced that the 4,600 square mile Larsen B ice shelf would collapse within two years. "It will be destroyed without any doubt," he said, after flying over the shelf with members of Greenpeace. "We saw a lot of cracks and ice rifts... and big holes in the ice shelf. And we don't have an explanation for them."

Two years ago the neighbouring Larsen A ice shelf disappeared and an iceberg the size of Oxfordshire floated away. This was attributed to a rise in temperatures of 2.5C in the area over the past half century. Before the collapse it had become criss-crossed with deep cracks, some 30 miles long and 100ft wide.

Greenpeace sent two helicopters from its ship, Arctic Sunrise, over Larsen B yesterday and reported that the surface of the shelf is riven with cracks and deep fissures.

Scientists at the British Antarctic Survey yesterday examined recent satellite images of the ice shelf to see if they could spot similar changes. Dr Tom Lachlan-Cope said the resolution of the images was too low to detect cracks, but melt pools were visible. "These have been quite common in the past few years," he said.

The state of the ice shelves is one of the most sensitive indicators of changing global temperatures. Arctic Sunrise has been in Antarctica for the past two weeks to document signs of climate change.

Memoirs test Manhattan's love affair with Woody

By QUENTIN LETTS

IN A devastating second salvo, the American actress Mia Farrow yesterday attacked her former lover, Woody Allen, publishing memoirs that describe in detail the break-up of their 12-year relationship after she discovered he had fallen in love with her young adopted daughter, Soon-Yi.

Ms Farrow's *What Falls Away* did good business within hours of bookshops opening in the couple's home city of New York. It came after disclosures earlier this week in a television interview.

The book depicts the filmmaker as a troubled, anti-social man who professed "no interest" in children, yet allegedly would strip to his underpants to cuddle a six-year-old girl. Ms Farrow writes that he is rude to his parents, didactic, and a man who even at the height of his love affair with the wait-like actress would have his lawyer go over domestic matters.

Another mainstay of his existence, she writes, is his psychiatrist. He calls psychotherapy his "crutch".

During their relationship — conducted from separate houses on opposite sides of

Central Park — they went out to only three parties. "Moments of intimacy" had to be stolen from filming schedules, often during the day.

She recalls that one evening she found Mr Allen standing beside the bed of six-year-old Dylan, holding his thumb in her mouth. "Please, I said, and he quickly pulled his thumb out," she writes. Soon afterwards she redrafted her will and wrote to a friend that she felt she had "come perilously close to a genuine meltdown of my very core".

At one stage, claims Ms Farrow, Dylan, bearing Mr Allen at the house door, would run through rooms asking her siblings to "hide me... hide me!" Ms Farrow says: "It was not a game."

The real-life Mr Allen, she writes, is "nothing like" the stage Woody Allen, "a lovable nebbish endlessly and hilariously whining and quacking, questioning moral and philosophical issues great and small." The "real" Allen is, in her account, a man obsessed with an "inappropriate intensity" towards his lover's children. But when he learnt that the child he and Ms Farrow

were to have together was a boy his interest dropped like a stone.

When Ms Farrow found photographs of a naked Soon-Yi that Mr Allen seemingly had taken, she told him to "get away from us". He said that he was trying to improve the teenager's "conductance". "It was, he said, 'just a tepid little affair that probably shouldn't have lasted more than a few weeks longer anyway — I told Soon-Yi she shouldn't expect anything'. When Ms Farrow told Soon-Yi's father, the conductor André Previn, Mr Allen fell to the floor and clutched his stomach. Mr Previn was disgusted.

The memoirs will test to the limit New York's high regard for Mr Allen, long its favourite film-maker. His films have mirrored what Manhattan "society" likes to think it is.

In recent months, Mr Allen has become more visible around town, accompanied by the meek Soon-Yi whose hand he holds like a lead. A 27-page appendix to the book publishes in full the state supreme court decision of her 1993 child custody battle with Mr Allen.

Air disaster fuels row over Lebanon

FROM CHRISTOPHER WALKER IN JERUSALEM

MYSTERY last night surrounded the cause of Israel's worst military air disaster on Tuesday which left 73 servicemen dead and plunged the Jewish State into national mourning.

The loss of the helicopters — which were headed towards southern Lebanon's war zone — led Shimon Peres, the former Labour Prime Minister, to introduce a political element into the grieving.

He argued in an interview from Switzerland that "though this is not the time for blame, the time has come to put an end to this involvement in Lebanon... We will end up making the same concessions in the end, but only after more blood has been split."

Mr Peres said he did not back the growing clamour for a unilateral withdrawal from the nine-mile wide "buffer zone" which Israel has occupied since its forces pulled out of the rest of Lebanon in 1985. However, he said: "There is a price for peace with Lebanon and with Syria, and we must utter this truth and not try with illusions."

The agony of Jews from every level of society at the

deaths of young men, most aged about 20, was matched by reports of wild rejoicing in refugee camps and villages in Lebanon controlled by the Iranian-backed Hezbollah.

Speaking at the site where the two Sikorski helicopters burst into flames after a mid-air collision, Binyamin Netanyahu, the Israeli Prime Minister, said: "I think the jubilation we heard from Hezbollah tells us who we are dealing with... [their] goal is not to get us out of Lebanon, but to get us out of Israel."

Responding to growing calls to withdraw from the "Lebanon mud", Mr Netanyahu vowed that there would be no change in Israel's policy over Lebanon. "We are not going to be deterred, and we are not going to relent... we shall defend our country. We shall reduce the risks. Ultimately, we shall achieve peace, too."

Chief Rabbi Meir Lau, who has called today for national fasting as part of the official mourning that ends tonight with prayers at the Wailing Wall, said the loss was "a reminder that we are still fighting for our existence".



Biko: became martyr to anti-apartheid struggle

Poison claim in Biko death

Johannesburg: Claims that Steve Biko may have been poisoned and not beaten to death as widely believed, are being investigated by South Africa's Truth and Reconciliation Commission. (Inigo Gilmore writes).

Dumisa Ntsebe, the commission's chief investigator, said a document alleged that brain damage which the Black Consciousness leader suffered before he died in detention may have been caused by poison.

Biko, who died in a prison hospital in 1977, became a martyr of the anti-apartheid struggle and the claims will renew interest in his case.

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Food for thought

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Dr Thomas Stuttaford on treatment for an irritating condition, why Koo Stark is having a healthy pregnancy, a strange cure for warts and the links between high blood pressure, exercise and strokes

A syndrome that can make your life misery

When I was growing up in Norfolk, one of our neighbours, Miss Hodgson, the elderly spinster daughter of a local parson, brought her own charcoal biscuits with her whenever she called for a cup of tea or coffee.

She explained that she suffered from colitis and that without her charcoal biscuits her day would be ruined by the abdominal pain, and other symptoms too intimate to mention, which would have been induced by my mother's buns.

Miss Hodgson was my introduction to irritable bowel syndrome, which 60 years ago was often referred to as mucous, or spastic colitis. Since then I — like all older doctors — have seen hundreds, probably thousands, of cases of irritable bowel syndrome and it is the most common reason why patients are referred to gastro-intestinal clinics for further investigations.

The term colitis should be reserved for the inflammatory bowel diseases such as ulcerative colitis, Crohn's disease, the infective dysenteries, or rarer diseases such as ischaemic colitis or the inflammation of the bowel which sometimes follows radiotherapy. It should not be used for irritable bowel syndrome, which is not life threatening even though it can destroy someone's peace of mind as well as the serenity of their gut.

Irritable bowel syndrome is characterised by five symptoms. Abdominal swelling, which Miss Hodgson was prepared to talk about in front of a young boy, abdominal pain (also mentioned in polite society, although the fact that the pain is relieved by a visit to the lavatory is not so readily discussed, nor are the frequent bowel movements), excessive wind and the passing of mucus. Even after defecation there is some sensation that the mission has not been successfully completed.

There are two other variants of the irritable bowel syndrome. One is now referred to as functional diarrhoea, which in my undergraduate days was known as intestinal hurry. It is this trouble which grips the public speaker's intestine so savagely that he is unable to eat before his

performance for fear that he will have to rush from the top table to the cloakroom. Functional diarrhoea also causes the commuter to have to go to the lavatory several times before leaving to catch the train.

Classically, sufferers from functional diarrhoea have urgent and frequent defecation in the morning, but are in command of their bowels for the rest of the day. Symptoms can be troublesome at other times if they have to endure a tense meal, perhaps with a boss or would-be lover — particularly if the meal ends with too strong a cup of coffee. After their morning activities some patients feel so exhausted that they need a quick sleep before setting forth for the day.

The third variant of the irritable bowel is that of primary motility of the fore gut. This is more common in women than men and causes bloating, loss of appetite, nausea and abdominal pain which is often on the right side.

Irritable bowel syndrome should not be confused with inflammatory bowel disease. Inflammatory bowel disease can cause very serious disability if not carefully treated. A new preparation, Entocort enema, has been introduced recently which will help patients with ulcerative colitis.

Entocort budesonide is one of the better steroid preparations for treating inflammatory bowel diseases as it is most effective in those places where it is needed — the intestines — but does not suppress blood levels of cortisol as much as other steroids and therefore has fewer side-effects.

A preparation of Entocort capsules taken by mouth was introduced about a year ago to treat Crohn's disease, which can affect any part of the gastro-intestinal tract from the mouth to the anus. The new enema will be particularly useful for patients with ulcerative colitis, which only attacks the large bowel.

Whatever the cause of the patient's troubles, whether socially inconvenient and very uncomfortable irritable bowel syndrome, or the potentially serious or inflammatory bowel conditions, any patient who has disturbance with their

A meal with a lover can be a particular problem



Koo Stark is the picture of health — but this may be due to meditation rather than medication

Safe remedies to protect mother and baby

Koo Stark's good health relies less on medication than that of most people. Even Koo, however, must have suffered some of the inconveniences of pregnancy and wondered what was safe to take to relieve them and which preparations could damage her baby.

Ann Lee, a pharmacist at Glasgow Royal Infirmary writing in the journal *General Practitioner*, recently gave some straightforward advice to doctors and patients on the drugs which can be used safely during pregnancy.

Doctors tend to err on the side of caution when treating pregnant women, and no surgery desk is complete without a copy of *Mims*, the national formulary and Martindale's pharmacopoeia. I look up

drugs prescribed for pregnant women with my patient present, so that they can see for themselves that the suggested tablets are harmless.

Nausea and vomiting affect 80 per cent of women in the first three months of pregnancy. The troubles tend to be worse in the early morning, hence the term morning sickness, and the advice given is to have a cup of tea and biscuits in bed and to get up slowly.

A hurried start to the day can end in a nauseous disaster. Although popularly known as morning sickness, this description of the vomiting of early pregnancy isn't entirely accurate as nausea and vomiting can occur at any time. The tea-and-biscuits-in-bed routine should be followed by frequent small meals throughout the day. Large quantities of fluid should be avoided as the stomach is dilated during pregnancy and it also takes longer to empty.

GP magazine suggests that it is worth trying such drugs as antihistamines or Stemetil, which may help. Doctors' inability to treat vomiting and nausea in early pregnancy is illustrated by the journal's suggestion that it would be worth trying the type of bracelet worn by yachtspeople to ward off sea sickness.

Heartburn is invariably troublesome to the mother in the later stages of pregnancy when the growing baby overflows the abdomen and encourages the reflux of stomach contents back into the bottom of the oesophagus.

I usually recommend Gaviscon, and there is a new form of it available called Gaviscon Advance. This floats like a raft on the top of the stomach contents while it suppresses reflux, coats the inflamed area and neutralises any excess acid. Simple antacids have never been shown to do the baby any harm but some of the aluminium products may increase constipation.

Despite the age-old habit of midwives and doctors recommending senna preparation for constipation, these and other

gent stimulants are best avoided during pregnancy. Bulk expanders such as Isogel and Manevac are the first choice as a laxative. These are usually effective, particularly if fluid intake is increased and a high-fibre diet chosen.

Urinary tract and chest infections are more common in pregnancy than at

other times. The penicillins cephalosporins, such as Cephalexin, and erythromycin are all safe. Tetracyclines, drugs of the gentamicins and the quinolones such as Ciprofloxacin, should be avoided. Flayl (metronidazole and trimethoprim) is, for theoretical reasons, best avoided in the first three months of pregnancy.

No account of diet in pregnancy is complete without mention of the vexed question of alcohol. Severe alcoholics sometimes have children who suffer from the foetal alcohol syndrome: the child is small, retarded and has the classic deformities which give it a phid-like appearance. Smaller, but still heavy amounts of alcohol regularly consumed can cause a modified form of this syndrome, the foetal alcohol effect, which results in smaller, less bright children. It is wise to restrict alcohol intake to two drinks on any one occasion, and not more than seven in a week.

'Tea and biscuits in bed can help morning sickness'

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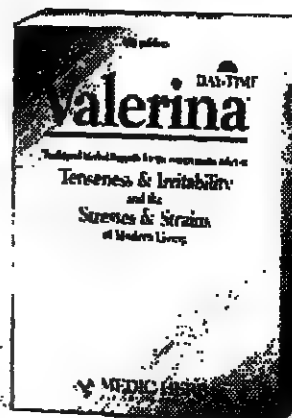
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Hormone loss can weaken your bones

IF any evidence was needed that men as well as women need treatment for osteoporosis, and that falling hormone levels in later life are responsible, it has been provided by a recent survey in the United States. The research, reported in the *Journal of Urology*, compared bone density in patients who had had treatment for cancer of the prostate with others who were awaiting treatment or were apparently fit.

One treatment for cancer of the prostate is orchiectomy — castration. Patients whose hormone levels had been reduced, whether by surgical or chemical castration, had a very much higher incidence of osteoporosis with low bone density than those who still had normal testosterone levels.

The day my son went out and buried a problem

ONE of the mysteries of medicine to the orthodox is why homeopathy works. The standard explanation offered by homeopaths is hard to prove scientifically, but experience does show that patients often benefit from the ministrations of homeopathically-trained doctors.

Some orthodox doctors suspect that some of the success of their homeopathic colleagues is the result of the time they spend with a patient and the care they take over discussion of their symptoms.

Recently, a standardly conducted trial has shown that homeopathic treatment for warts is no more effective than a placebo, but wart treatment is a chancy business and orthodox medicine isn't always effective either. The trial,



Homeopathy: hard to prove

reported in the magazine *Dermatology*, was double blind and randomised.

Sixty children were treated by homeopathic preparations or with a placebo. A

reduction by half in the area of the skin affected by warty growths was considered successful. Seven of the placebo-treated children had this measure of response, and nine of those treated by the homeopaths did equally well. Statisticians say the difference is not significant.

When one of my sons was young, I treated the warts on his hands for many months with very limited success. Suddenly, all my son's warts vanished — but then he admitted that he had despaired of his father's feeble efforts and had consulted one of his knowledgeable schoolfellows.

The boy prescribed rubbing the wart with old ham, then burying it in the garden. My son did this — and his warts went in a week.

An exercise in stroke avoidance

common causes of ischaemic strokes from disturbed clots.

Poor control of blood pressure is responsible for many strokes. Although great benefit in their prevention is achieved by reducing the blood pressure to under 150/90, only a third of patients who have strokes achieve control as good as this. Studies have shown that poor control is attained even when patients, and their doctors, know that more than 60 per cent of those who have a stroke suffer from high blood pressure.

The *Scottish Medical Journal* recently reported on a

study of nearly 800 practices. This showed that one-third of the doctors were not aware of the rather liberal guidelines laid down by the British Hypertensive Society, which suggests that blood pressure should be kept below 160/100. Fifteen per cent of general practitioners didn't recommend any treatment until blood pressure was over 170.

Recent research has shown that not only is blood pressure still badly controlled in this country, but not all the drugs used are equally effective when the patient is exercising. In particular, some newer calcium channel blockers are not so efficient when the patient starts to exercise as were the older preparations such as verapamil, Securon, which controls blood pressure even when doing PT.

Manhattan with Wood

fuel canon

chayin 1350

Sotheby's and the Art of Smuggling

In a new book serialised by The Times, author Peter Watson exposes Sotheby's role in the illegal traffic in Old Masters



EARLY in the evening of Sunday March 3, 1991, there was a knock on the door of my house in Chelsea, west London. It was James Hodges. Outside in the road was a Morris Oxford, a 1960 chrome and old-fashioned tailfins. Hodges drove and we headed off west along the King's Road. I had known him for less than a week. Our first meeting had taken place the Friday before, at his house in Shepherd's Bush. What he had told me initially was that he had worked for Sotheby's auction house for more than a decade, that for a lot of the time he had been involved in unethical and illegal practices, and that he had in his possession enormous amounts of documentation from Sotheby's which, he claimed, showed that wrongdoing was rife.

He also said that Sotheby's had a good inkling of what he had squirmed away and that, although he had left the company honourably in 1989 with eight months' pay, it had later caused him to be charged on two counts of theft from its premises.

He had been arrested about a year before and had spent the weekend in a cell at West End Central police station at Savile Row. His case was to come to trial later that year.

He also told me that one night he had come home to find two Italian antiquities dealers sitting in his living room. They had heard he

had left Sotheby's and wanted to make sure he would not reveal anything about their dealings with the company. They were civil enough, on that occasion, said Hodges, though there was no doubt in his mind that their visit was a form of threat. Hodges added that he and a friend had on occasions posed as dustmen and rummaged through the bins of several Sotheby's directors to see if they could find anything incriminating to help his defence.

The Morris Oxford followed the King's Road as it curled around World's End and passed alongside the common at Parson's Green. At the far end of the common was a pub, the White Horse. Hodges parked the car, we got out and climbed to an upstairs room. That night I was shown three suitcases of documents. Some were on Sotheby's letterhead, others on blue internal memo forms or yellow property cards. Some were franked with Sotheby's internal franking machine. Some were signed or initialed by people I knew and whose signatures I recognised.

Amid all the documents, however, there was indeed prima facie evidence of widespread, long-term wrongdoing inside Sotheby's. It was not clear in the White Horse how far these activities extended throughout the company, but what did seem evident was that key individuals in specialist departments were involved.



FROM NAPLES TO LONDON

The Italian job

That evening was for me the start of a six-year investigation into Sotheby's. I narrowed down the paperwork to 592 key documents, consisting of more than 800 sheets, and apparently showing wrongdoing in 22 areas.

The investigation was by no means straightforward. To begin with, when Hodges went on trial that November, he was charged not only with theft, but with false accounting and forgery.

He claimed in his defence that he was but a small part of a much wider ring of wrongdoing at Sotheby's. Some of his superiors made damaging admissions in court (such as that they had falsified documents) but although Hodges was acquitted on 18 counts, he was convicted on one count of theft, another of false accounting, and a third of forgery. He went to jail for five months.

The conviction for forgery was clearly worrying and meant that although documents he had passed to me seemed genuine, independent corroboration was essential. To help me, I enlisted the aid of a colleague, Bernard Clark, a television journalist, with his own company, and we persuaded David Lloyd, editor of *Dispatches* at Channel 4, that the documents were worth investigating. Clark brought in as producer for the programme a very talented and rather younger man than either of us, Sam Bagnall.

No area of subsequent investigation, which led to two programmes and this book, proved to be more shocking than the wrongdoing we unearthed in the area of Italian Old Master paintings.

There were maybe 50 or 60 pages of documents which appeared to show that the company smuggled Old Master paintings out of Italy to England, where they were sold at auction in London. The documents identified the Milan office as the headquarters of this illegal traffic and several identified paintings by name and artist.

We needed to put to the test this outline of the clandestine trade as it was revealed in the

documents. It was, therefore, our intention to take an Italian Old Master to Sotheby's Milan office, ask them to sell it in London, and then sit back and see what they did.

We had bought a painting in Naples, a portrait by the 18th-century artist Giuseppe Nogari. Naples was a long way from Milan, and Sotheby's had no office there. The art trade is a very small world and we did not want to risk a picture that was familiar.

Now that we had a painting,

useful at some future stage.

The name at Sotheby's Milan office which the documents mentioned most often was Nancy Nelson, an American. However, she no longer worked there and our inquiries showed that her place as Old Masters expert had been taken by one Roeland Kollwijn, who was Dutch. It was he whom Victoria called late on the morning of Wednesday March 27.

She explained to him that she was an Australian and was in Italy for only a few

Roeland Kollwijn she was led up some stairs to the mezzanine floor.

After a few moments, Kollwijn arrived. He was a short, slight, blond-haired, good-looking man with rimless spectacles. He liked the painting but said it wasn't suitable for the international market. He then added: "The difference between the international market and local Italian market is when you've got the high-level stuff... if you have something for the international market, a beautiful Guido Reni or a Raphael... then you go well over the Italian price."

"This is not an international market picture. But if you have international quality, you really should send it away. It's very important. You know, if you have a Canaletto or a Guardi... out."

Victoria left the painting with Kollwijn. He had hinted that smuggling still went on, but only with more valuable paintings than we possessed. We decided to sleep on it.

That evening I looked at the documents again. It was only when I was faced with the wording in the paperwork that I understood. Many of the people mentioned were people who consigned pictures regularly. In other words, Sotheby's would do something for them they wouldn't do for a first-time relative stranger such as Victoria. As I digested all this, I realised that we had to raise the stakes — and persuade Kollwijn that we were worth his while.

By 8am London time, Friday morning, I was on the telephone to Italy. I explained that I wanted Victoria to go into Sotheby's in Milan that day, but unannounced. Her sudden arrival would emphasise her keenness to deal with him, to make the sale happen.

Victoria was also to explain that she had talked to her sister in Sydney, and that the sister had instructed her to tell Kollwijn about the other paintings in their "collection".

The composition of the collection was all-important. Kollwijn, we now knew, was impressed by the Nogari. The artist was scarcely a well-



Roeland Kollwijn, Old Masters expert at Sotheby's in Milan

we needed a plausible history for it. Our idea which was put to Channel 4 and approved, was to have someone go into Sotheby's in Milan with the painting and say that it was part of a recently inherited collection.

After a false start, we found the perfect person, an Australian camerawoman named Victoria Parnall. She was of Italian extraction, so could plausibly argue that she had "inherited" some paintings from her grandmother. Victoria also had an address that we could use in Sydney.

We spent days briefing her. In the first instance, Victoria was to be vague about exactly what she had inherited. We also gave her a "sister". This sister had children and so could not leave Sydney, but she knew more about art and the art world than Victoria did. We thought this might be

she asked if she could see Kollwijn quickly. He agreed.

Sotheby's offices, in the Via Broggi, are discreet, located in a quiet, fashionable area between the public gardens and the central station. Besides Victoria's psychological preparation, Sam Bagnall had also prepared her electronically. In her bag she carried a state-of-the-art tape recorder. No less important, hidden inside a crystal brooch pinned to her lapel, was a tiny fish-eye camera whose wire ran under her jacket to a Hi-8 tape machine, about the size of a cigarette packet, pinned safely inside her pocket.

At 11.45am she stepped into Sotheby's. She carried the Nogari in a plain paper bag, double-wrapped in bubble plastic and brown paper and sealed with masking tape. When Victoria asked for



The oil on canvas *Old Woman with a Cup* by Giuseppe Nogari valued at £7,000 to £10,000

YEARS

Thirty-five years ago it was unique. Since 1962, The Sunday Times Magazine has been cloned around the world. Today it has more readers than ever. On Sunday a special anniversary issue features a selection of the words and pictures that established its reputation

YEARS



Left: In a reconstruction for *Dispatches*, the Nogari is bought in Italy. Top right: Eve White, an actress, at the auction where she bought the Nogari on *Dispatches*' behalf. Right: George Gordon, of Sotheby's Old Masters department in London

known painter but the picture was genuine and well executed, and that was what mattered.

It followed that, when we made up our list of pictures in this so-called collection, we should not fill it with Titians or Tintoretos or Tizians or Tiepolos but with names that were unknown to the general public. So we included Benvenuto Cellini's 'The Death of Garofalo', who lived and worked in Ferrara from 1481 to 1559; Andrea di Bartolo, who painted gold ground Madonnas in Siena in the period 1399-1428, which sell for around £20,000. We deliberately misspelt this name (it should have been Bartolo) to reinforce the idea that Victoria knew nothing about art.

By my calculation, the 'collection' which Victoria had 'inherited' contained well over 50 per cent north Italian paintings, and was worth £4,300,000. This would produce a commission in excess of £800,000 for Sotheby's.

I was in the middle of lunch when the telephone rang at about half-past one — half-past two in Milan. It was Victoria, and she was very excited. 'Peter,' she said breathlessly, 'I've admitted everything. Everything.'

But let Kollwijn speak for himself. The following paragraphs contain the edited transcript of the encounter with Victoria. She had given Kollwijn the list of other paintings which were in the 'collection' she had 'inherited'.

Kollwijn: 'Good stuff... if it is what it is... it's a lot of money... it's stuff that can't be exported. You know, with Italy within the European Community it's a very difficult country because they are rather upset about losing works of art from the country. It's more or less the only natural resource they have... they don't have oil or whatever... so they're very strict.'

Victoria asked how much difference it would make to sell the pictures in London.

Kollwijn: 'I don't want to

put wrong ideas in your mind...'

Victoria: 'So, erm, I mean, from what you're saying, though, is there some way we can get it out of the country?'

Kollwijn: 'Yes. Well, I'm not telling you this as Sotheby's...'

Victoria: 'Just as Roelandt to Victoria.'

Kollwijn: 'Yes... you need an address in London. Doesn't matter who...'

Victoria: 'Yes... who knows about it. He says he's (unintelligible) — a private person obviously...'

Kollwijn: 'Yes...'

Kollwijn: 'Then we can smuggle it out...'

He then said that the problem Victoria and her sister faced in selling the collection in Italy was that it would come to the notice of the State, and that they would render themselves liable to tax.

Victoria: 'Right. Okay...'

...then you have two options. Either sell this privately off to a dealer who takes the risk and probably takes it out of Italy himself, and you don't have a risk but you take less money... Or you're doing it an illegal way. An illegal way, you need an address in London, somebody who doesn't want to know anything about it. The expert in London will go to this address to look at the pictures and they will think, not to think — 'Oh, we found it here'. Um, the export will cost you... it's going to cost you for each picture about a million lire (about £450).'

Victoria: 'Right...'

Kollwijn: 'Then the best thing about this story is that it cannot be insured because it does not exist... so it gets to a frontal (the smuggled his hands) to a (unintelligible)...'

Victoria: 'An accident...'

Kollwijn: 'An accident and the whole thing burns — we don't know, I don't know you, I didn't see anything, I will deny everything...'

Victoria: 'Yes...'

Kollwijn: 'Sorry about the pictures. Were there any pictures? I don't know you lost them... If the illegal transport goes wrong...'

Victoria: 'Yes...'

Kollwijn: 'They will confiscate the pictures. We don't know the owner and you lost them...'

Victoria: 'How often does that happen?'

Kollwijn: 'It never goes wrong, but it will at some point... I would say if you're going to send it out I'm going to need for this group (the 'collection') at least 10 million lire, or 15 million. I'm not taking a penny, but they want cash...'

Victoria: 'No, no I understand what they are saying...'

Kollwijn: 'And then it goes to an address in London, and the Sotheby's expert goes there and says, 'Oh, how nice, what a surprise! — he knows, but he doesn't (unintelligible). If anything goes wrong he says, 'I

...about... he will probably ask for about 800,000 lire or something...'

Victoria: 'Okay...'

Kollwijn: 'I will put it on a truck for you, and then it will go to an address which you have to give me...'

Victoria: 'Yes...'

Kollwijn then added: 'I will also make a receipt that this picture has been taken away with you. We don't have. You can't say that we have it. I want you to sign something: 'I took it away... I'm not going to smuggle it until I have it out of this office legally... It's not that I don't trust you, it's just that this is such a filthy business... if it's only the Nogari, you know, on a good day you get five million lire (£2,300) more in London than you get here...'

Victoria: 'Yes...'

Kollwijn: 'So you might... If I were a judge I would bug Sotheby's...'

Victoria: 'Yes? Because it's happening all the time?'

Kollwijn: 'Well, they know it's happening all the time, and why are we here?'

Victoria: 'Yes...'

Kollwijn: 'So of course it's an iceberg here, so of course we should be bugged immediately. If I were in power I would arrest the whole lot here...'

It took several weeks for Kollwijn to arrange transport for the Nogari portrait. But, on Friday, May 17, he called the woman whose flat in Primrose Hill we were using for 'the drop'. The delivery, he said, would be on Wednesday, Thursday or Friday of the following week, and the fee would be £200, strictly cash. He added that the woman was to call George Gordon when the picture arrived. Gordon was second in seniority in Sotheby's Old Masters department in London.

We arranged for an actress to play the part of the woman whose flat we were using. At a 10.45am, on the 24th, a large white truck pulled into Princess Road, NW1. It belonged to a small transport company from south London, whose name Kollwijn had given us in a fax to Victoria in Sydney. We had hidden cameras in the flat and in a van outside.

The driver got out and took from the cab a painting wrapped in bubble wrap. It was clearly the Nogari. To avoid the rain, he slipped across the pavement and rang the bell. Using the intercom, our actress let him in.

He was a dark-haired man, in a blue shirt which emphasised his beer belly. Our actress had laid the £200 in an envelope on the sofa, so he could see it as soon as he arrived. He opened up the bubble wrap and took the painting to the window so that our actress could inspect its condition. He said he was taking a 'truck' to Italy the next week, inspected the notes in the envelope, and then left. Our actress had been told to

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Kollwijn: 'I will put it on a truck for you, and then it will go to an address which you have to give me...'

Victoria: 'Yes...'

Kollwijn then added: 'I will also make a receipt that this picture has been taken away with you. We don't have. You can't say that we have it. I want you to sign something: 'I took it away... I'm not going to smuggle it until I have it out of this office legally... It's not that I don't trust you, it's just that this is such a filthy business... if it's only the Nogari, you know, on a good day you get five million lire (£2,300) more in London than you get here...'

Victoria: 'Yes...'

Kollwijn: 'So you might... If I were a judge I would bug Sotheby's...'

Victoria: 'Yes? Because it's happening all the time?'

Kollwijn: 'Well, they know it's happening all the time, and why are we here?'

Victoria: 'Yes...'

Kollwijn: 'So of course it's an iceberg here, so of course we should be bugged immediately. If I were in power I would arrest the whole lot here...'

It took several weeks for Kollwijn to arrange transport for the Nogari portrait. But, on Friday, May 17, he called the woman whose flat in Primrose Hill we were using for 'the drop'. The delivery, he said, would be on Wednesday, Thursday or Friday of the following week, and the fee would be £200, strictly cash. He added that the woman was to call George Gordon when the picture arrived. Gordon was second in seniority in Sotheby's Old Masters department in London.

We arranged for an actress to play the part of the woman whose flat we were using. At a 10.45am, on the 24th, a large white truck pulled into Princess Road, NW1. It belonged to a small transport company from south London, whose name Kollwijn had given us in a fax to Victoria in Sydney. We had hidden cameras in the flat and in a van outside.

The driver got out and took from the cab a painting wrapped in bubble wrap. It was clearly the Nogari. To avoid the rain, he slipped across the pavement and rang the bell. Using the intercom, our actress let him in.

He was a dark-haired man, in a blue shirt which emphasised his beer belly. Our actress had laid the £200 in an envelope on the sofa, so he could see it as soon as he arrived. He opened up the bubble wrap and took the painting to the window so that our actress could inspect its condition. He said he was taking a 'truck' to Italy the next week, inspected the notes in the envelope, and then left. Our actress had been told to

Victoria next asked how she should behave over the telephone if she spoke to Kollwijn from Sydney.

Kollwijn: 'Well, don't be too explicit...'

Victoria: 'No, okay...'

Kollwijn: 'Because they can bug us and they do... We hope they aren't doing it, but they are allowed to...'

Victoria: 'Really?... How can you tell?'

Blair must democratise town halls

Margaret Hodge wants voters, not councillors, to elect mayors

Elected executive mayors for Britain's towns and cities. That is an idea which will be debated at this weekend's Labour local government conference. Would it give us better local government and would it create stronger local democracy?

The legacy Labour will inherit from the Tories is a mess. We have had 18 years of experiments and change, including some complete disasters, like the poll tax. All this has left us with many poor services and many demoralised councillors.

It is no wonder that talented people shy away from standing for election to their local council. It is no wonder that 80 per cent of the current batch of councillors are over 45, one third are retired and only one in four is a woman. It is no wonder that only 31 per cent of us bothered to vote at the local elections last year.

New Labour wants change for local government. We want better public services and we want stronger local democracy. It is not healthy to have everything run by Whitehall or by ministers; that places too much power in the hands of too few people. Equally, we do not want to return to the Tammany Hall days of the 1960s and 1970s. The new millennium demands a new approach.

Local government today needs to fulfil different roles, so we need new institutions to deliver the new purposes. That is why we are thinking about elected mayors.

Towns and cities compete in a way they didn't a generation ago. In Britain, Manchester competes with London for millennium cash. In Europe, Liverpool competes with cities in Spain and Germany to build the Ford Escort. In the global economy, Derbyshire competes with Tokyo to produce television sets.

We need a strong voice for our towns and cities. Someone to promote the area, to fight on our behalf for inward investment and public resources. Nobody knows who the town clerk is and few people know their council leader. However, an elected mayor, such as Jacques Chirac in Paris, would have a high public profile and more political weight.

Some people argue that the cult of personality in politics is a bad thing. But well-known, forceful leaders are more effective in fighting the corner for their community. And we will all know where the buck stops. No longer would we need to ring the town hall to complain only to deal with anonymous bureaucrats. With an elected mayor, there will be clarity on where ultimate responsibility lies.

There are other changes, too. Today, we understand better that if we are to get things done, we cannot leave it to the Government or the council alone. The police alone cannot reduce crime, the local authority alone cannot create jobs and the public sector by itself cannot reduce pollution. We need local authorities to work with the private sector, with schools, colleges and

training and enterprise councils to create jobs. We need the police to work with local communities and public bodies like health and education to cut crime.

But someone has to lead and develop the partnerships we need. That is a new job for local government and it requires a new form of strong leadership, which an elected mayor could give. It is no longer about local councils doing it all from the town hall; it is about getting others to work together and act. That is different and we need a new sort of leadership in our town halls to rise to the occasion.

In the past, local councils have looked inward. Decisions are taken in secret in political party meetings. Attention has focused on the needs of the workforce and not the needs of the public. The leader of the council is elected by the party caucus, so he or she depends on the party, not the public, for the job. Council committees concentrate on managing services, not on a broader strategy for the area.

An elected mayor could change this. If the mayor depended on the voters for his re-election, he or she would put them first. He would have to argue in open, not in secret, to build support for his policies. He would represent the public interest first, not the producer interest of those who work for the council.

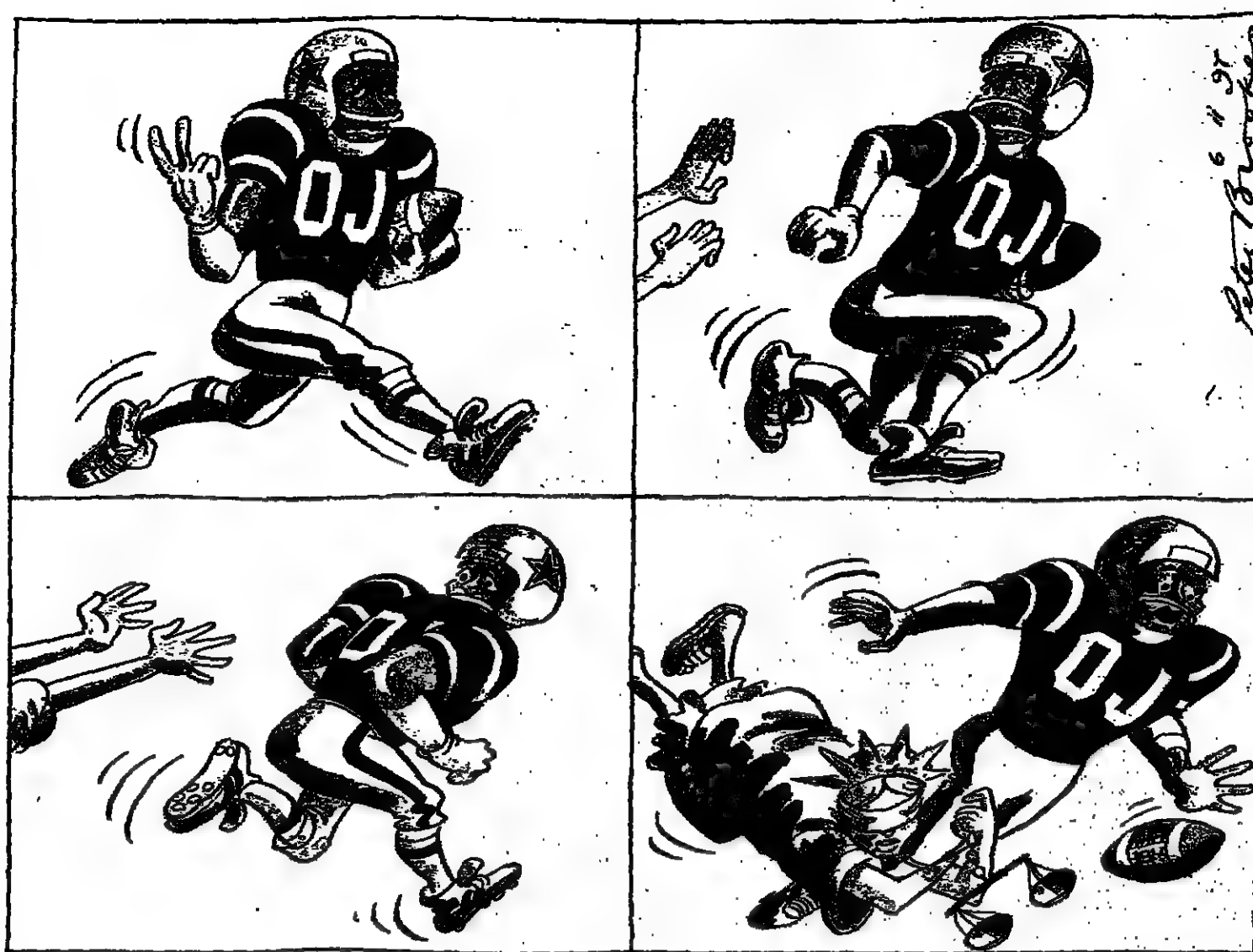
People like the idea of elected mayors. A survey in 1995 found that 70 per cent of voters supported the concept, but only 16 per cent of councillors liked the notion. That in itself is telling and shows we should not just listen to the vested interests. But more of us would vote for a directly elected mayor, who could well have a more exciting job than a backbench MP.

We need a strong voice for our towns and cities

Most other countries elect their mayors and it works well. We can make sure that with a system of checks and balances it does not lead to new corruption. Tony Blair has said that Labour in government would seek volunteers to test the concept. However, if the survey is right, local councillors may not willingly grasp the opportunity to act as pilot authorities. A Labour government could encourage authorities by offering extra resources or extra powers. But if that, too, fails to entice volunteers, it may prove necessary for government to select a number of councils and insist that they work with elected mayors so that we can learn.

In London, a number of people are already saying they would like the job. On the Conservative side, Steven Norris and David Mellor have made positive noises. On the Labour side, Tony Banks would jump at the chance. For all of us, it might bring some fun and excitement back into politics. It would certainly help to kick-start the renewal of local democracy, and that must surely be a good thing.

The author is Labour MP for Barking and a former leader of Islington council.



Mr Brown's big freeze

Labour still thinks ministers know better than markets - its fatal conceit

Gordon Brown does not believe in a free market for labour; that tells us almost everything we need to know about the prospect of life under a Labour Government. The news is bad. We already know that the trade unions do not believe in a free market for labour; they insist, like cartels of manufacturers, to interfere with the operation of the market. We also know that the Labour Party was committed to signing the European social charter, which the Prime Minister reasonably believes would cost Britain 300,000 jobs. Now Mr Brown has decided that a Labour government would impose a pay freeze on senior posts in the public service.

The very words "pay freeze" chill the blood of anyone who can remember the disastrous attempts to control pay in the 1960s and 1970s. It was his incomes policy that destroyed the Heath Government in 1974. The attempt by Labour governments of that period to control pay drove talent abroad, much of which never came back, distorted all pay relationships, put the trade unions in far too powerful a position, and ended with the "winter of discontent". Only a politician who had no sense of history, even of recent history, would promise a pay freeze a few months before a general election. Mr Brown would start by freezing the pay of ministers, judges and generals. He could well end, as Labour did in 1979, with municipal gravediggers refusing to bury the dead.

This pay freeze would not even save any significant amount of public money; it is estimated to produce between £10 million and £20 million, a trivial sum in terms of the public accounts, perhaps one two-hundredth part of 1 per cent of public expenditure. Mr Brown does not even pretend that his freeze would make any contribution to the real problems of the Exchequer. He believes that it would show "toughness allied to fairness". It would be nearer the mark to say that it would show "weakness allied to stupidity".

First of all, it is unfair. Mr Brown apparently believes that fairness requires there should not be a labour market, that everyone should be paid more nearly the same, the senior much the same as the junior, the skilled as the unskilled, the heavily burdened as those who do easier work. Otherwise he would not have singled out for his first freeze senior

civil servants, senior officers, senior judges, the people with the heaviest public responsibilities.

There is no reason to think that these people are overpaid for what they do. The State has always been a bad payer. These salaries are only a fraction of what is now paid in private business for comparable responsibilities. British top business salaries are themselves usually only a fraction of what is paid in the United States. The maximum Civil Service salaries, with which this freeze would be concerned, may be a little more than £150,000 - less than a third of

Mr Brown is still in what might be termed the bishop's stage in his economic studies, that is pre-1776, before Adam Smith, before the American Declaration of Independence. He does not accept that people should have the liberty to seek their own advantage, to choose their own "pursuit of happiness". He mistakenly supposes that so many of the senior state employees are trapped by the eminence of their jobs that pay levels can be imposed on them which fall well below their market value. He does not recognise that underpayment of judges, civil servants and

William Rees-Mogg

generals will ultimately be reflected in the recruitment of the judges, civil servants and generals of the future. The more notorious Mr Brown makes the meanness of the State to its most senior servants, the more young aspirants of talent will reject state service. As Adam Smith observed: "Whenever the law has attempted to regulate the wages of workmen, it has always been rather to lower them than to raise them... every man's interest would prompt him to seek the advantageous and to shun the disadvantageous employment."

Since Smith, no one has had any excuse for failing to understand how markets work. There is demand and there is supply: the price brings them into equilibrium. In this case the demand is for people of high ability, and the supply is limited. If Mr Brown doubts that, he should go to the headhunters and ask them to find him people in the private sector with the ability required to be an effective Permanent Secretary of a major department; and then he should ask the headhunters what their chosen candidates are paid at present. The British public demand for people of high ability is in competition with the demand in other English-language countries for the same people as well as with the British private sector. If the British public sector will not pay the going rate, it will not be able to attract the best people. There will

American justice is the loser

O.J. Simpson's trials were wrong, says Tim Hames

There have been no winners in the case of O.J. Simpson. Not the former football star, who preserved his liberty but lost his reputation in the first trial. Nor the Brown and Goldman families who have now extracted some retribution in the sequel. Least of all any conception of genuine justice, which has been completely undermined throughout both acts of this utterly compelling but ultimately corrosive spectacle.

Between them, the two trials emphasised all the most undesirable aspects of modern American law. In the first process, Judge Lance Ito allowed his courtroom to become a carnival. Witnesses turned into over-night celebrities, courted by CNN and the chat shows. Jurors hired literary agents in a shameless attempt to cash in on the circus. The attorneys soon did the same. Worse still, a slick but brilliant defence team managed to turn the whole trial on its head. Exploiting the longstanding resentment of racial minorities in Los Angeles, they put the police department in the place of the accused: ably if unintentionally assisted by the odious Detective Mark Fuhrman. As a result, Americans divided more like supporters of rival Super Bowl sides than with any real regard to the balance of evidence.

Easy as it is to sympathise with the murder victims and their relatives, the second instalment was hardly much better. Civil proceedings were hijacked to permit a rerun of the original criminal case. The concept of "wrongful death" - usually applied to events such as accidental industrial injury - became instead the vehicle by which, on a much lower burden of proof than in the initial encounter, a deliberate double knifing was re-evaluated. Whatever one might think of him, Mr Simpson had faced and been acquitted by a cross-section of his peers. The Fifth Amendment to the American Constitution, following the path set by traditional English common law, states clearly that no person shall "be subject for the same offence to be twice put in jeopardy". To all intents and purposes O.J. Simpson was tried twice for the same crime, admittedly with impoverishment rather than imprisonment as the potential punishment.

In effect, a suburban non-black jury was given the chance to overrule the decision of an urban black-majority body. That was wrong in principle, just as it was a distortion of American law for the four police officers acquitted of assault charges in the Rodney King case to be retried in a different court for essentially the same crime, with assault redefined as a violation of Mr King's civil rights.

While the sensational specifics of the Simpson case are unique and unlikely to be repeated, four much broader problems have been exposed. First, the predilection of the Californian criminal justice system for permitting cameras in court. This comes from an extraordinary West Coast interpretation of the Constitution that has transformed the Sixth Amendment guarantee of a "public trial" into an invitation bordering on obligation to the media. Other states have rightly rejected this extrapolation of the founding fathers' intentions. California should consider its position anew.

The second is the light shed on what can only be described as legalised jury-rigging. Both prosecution and defence in each case expended enormous efforts in trying to design a panel that would be sympathetic to their case. In the criminal trial the prosecution pushed for women, the defence for blacks. The result was a majority of black women. Present arrangements allow both sides far too much influence. They are not good for real justice.

The third is the blurring and blending of the once much sharper distinction between civil and criminal cases. The King and Simpson events typify a trend in which advocates adopt a pick-and-mix approach between the two, according to whatever best suits their optimal strategy. It is not a practice that shows much respect for the rights outlined so forcefully in the US Constitution.

Finally, the broader activities and ethics of the legal profession itself cannot be tolerated. The costs for all sides in this affair have been extortionate. The lawyers will be the prime beneficiaries. It has given the impression that the quality of a judicial outcome depends on a client's financial power. The enthusiasm with which the various attorneys then succeeded in supplementing their already vast fees through books, interviews, even commemorative merchandise, is not something that either the California or American Bar Association can continue to permit.

Action lies predominantly at the state level. Nonetheless, it is possible for Washington to give a lead. Both the President and the First Lady have practised law. A clear majority of Congress have attended law school. The time has come for them to call for the clean-up of their former profession. The Simpson case has had many tragic twists. Not the least of them is that America's deep reverence for the law as an impartial force for good has been damaged, perhaps beyond repair.

Reunion Jack

REPUBLICANISM is in retreat down in the South Pacific. Yesterday, after 18 months of po-faced independence posturing, the nine-island archipelago of Tuvalu put the Union Jack back on its flag. It is believed to be the first time the flag has been reinstated by any country; for this, we must thank Jeremy Hanley, the increasingly broad-based Minister of State at the Foreign Office.

To celebrate 17 years of self-rule in 1995, Tuvalu, the former Gilbert

and Ellice Islands, removed the Union Flag from its light blue flag. Although it was still a member of the Commonwealth and recognised the Queen as its head of state, Tuvalu and its 10,000 residents appeared to be taking the first step towards full, republic status.

Enter Viceroy Hanley, the former Conservative Party chairman, who visited Funafuti, the capital of Tuvalu late last year. Aside from being one of the world centres for telephone sexlines because of its

short dialling code, Tuvalu's distinction is that it never rises more than 17ft above sea level.

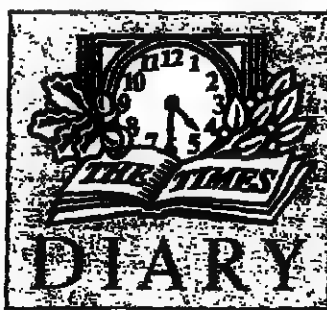
Hanley, who would have made an impressive grass-skirted chief, asked the Chief Minister: "What is the highest point in Funafuti?" "Why, Minister," he was told, "you are the highest point in Funafuti."

Hanley's party was so well received that the decision was made to reinstate the Union Flag. Note to the Palace: any chance of a stop in Funafuti being included in Britannia's last voyage?

Cold words

PLEADING poverty the other day, the Royal Opera House announced that cut-price children's matinees would have to go because to a shortfall of £90,000. My suggestion is that they approach Sir Jeremy Hanley, the former general director who stepped down at the end of last year.

Sir Jeremy is still being paid by the opera house and will continue to receive a pay cheque until July. His income during these months of absence is estimated to amount to more than £50,000. Yesterday a well-paid PR man was on hand at the opera house to make no comment. Sir Jeremy, who is making a documentary on the Cold War for



CNN, is unmoved by pleas from Covent Garden: "To enable Genista McIntosh (his successor) to get on with the job, I have given up executive functions at the RHO some months before the expiry of my contract in September 1997. It is not unusual in such circumstances, I believe, for the contract to be paid out."

Oldie bags

THE SECRET of the ladies' powder room emerged yesterday at Simpson's-in-the-Strand where Baroness Castle of Blackburn was nominated Oldie-of-the-Year. Mavis Nicholson, chairman of the judges, related over a bibulous lunch how at the same event the previous year, she had bumped into Adrian Mole's creator, Sue Townsend, in the loo.

"Frightful bags under my eyes today," muttered Townsend to the mirror, while applying a soothing balm to reduce her pouches. "Still, this haemorrhoid cream tightens things up."

Lord Jenkins of Hillhead spoke yesterday of a letter received at his home from the Conservative Party chairman Brian Mawhinney, asking for £20 for party funds. The letter was addressed to a Ms M Jenkins. "It appears that he will approach anyone to get £20," Jenkins said. For the Conservatives, Lord Cranborne said the unusual form of address proved Mawhinney's belief in a classless society.

Mucking out

THE DUKE of Westminster, who left the Conservative Party in disgust over its plans for leasehold reform, is clearly in no mood to return.

On Tuesday night, speaking at the National Farmers' Union dinner in London before its annual conference, he took BSE as his theme and lashed the Government, accusing it of "incompetence of mind-blowing proportions". He compared ministers to the First World War generals responsible for the massacres at Passchendaele

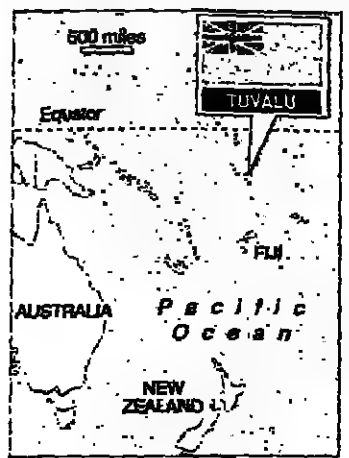


It's O.J. He wants \$8.5 million for the film rights to his life story

and the Somme. Douglas Hogg, the Agriculture Minister, said his decision to leave before the speeches had been "prudent".

An attack of self-respect has overcome the Duchess of York. She has rejected a request to present Top of the Pops. Having checked how much the BBC was offering, her office said: "It's not something the Duchess would do."

P.H.S





GOING, GOING

Sotheby's must act fast before its reputation has wholly gone

From Cambodia and China to Iraq and Italy, the smuggling of antiquities and works of art is a flourishing illegal business. The lesson for local legislators is everywhere a difficult one: the more draconian the restrictions that are set on legitimate exports, the more active and well-organised the smuggling is likely to be. China, which has a blanket export ban on all but very recent objects, is being pillaged on a massive scale, in some cases with the collusion of corrupt officials. Italy, whose cultural inheritance is similarly rich and large, faces similar problems with policing its law requiring export licences for any work that predates 1939.

Britain, by contrast, operates the liberal Waverley rules which impose a delay on the export of particularly important works in order to give the nation a chance to match the price offered by a foreign bidder. That strikes a fair balance between the public interest in keeping truly "national" treasures in the country, respect for private property rights and the belief that art is for the world to enjoy, regardless of frontiers.

This carefully calibrated policy has also made Britain a mecca for the legal international market, helping to establish the global pre-eminence of such great auction houses as Sotheby's and Christie's. But it is not only opportunity that has built their businesses; not only their expertise; it is their reputation for honesty and integrity in the conduct of their business. The evidence of wrongdoing at Sotheby's which we start serialising today should therefore appal both the art world and the Department of Trade and Industry. The practices uncovered range from the ethically questionable to the plainly illegal. The clear and direct

involvement of Sotheby's employees in art smuggling, the subject of today's article, is inexcusable.

Recorded on tape and by a hidden camera, Roeland Kollwijn, a Sotheby's Old Masters expert in Milan, undertakes to organise the illegal export of a painting by the 18th-century northern Italian artist Giuseppe Nogari to London, for sale by Sotheby's there. At the London end, the painting is duly seen by a member of Sotheby's staff, entered for auction and sold. This classic journalistic sting is backed by a mass of documents and circumstantial evidence, from the Far East as well as Italy, indicating that this was not an isolated case involving one or two bad apples in an otherwise sound barrel. Mr Kollwijn, who treats the transaction as routine, claims the complicity of his colleagues, saying that if he were an Italian judge he would order wiretaps on Sotheby's in Milan because "they know it's happening all the time" and adding that "if I were in power I would arrest the whole lot" at the Milan office.

Last month the art squad of the Italian carabinieri, announcing a haul worth £25 million of smuggled antiquities illegally excavated from archaeological sites, accused "employees of important international auction houses" of acting as intermediaries. There must be grave doubts about Sotheby's proud claims to operate according to strict rules and to co-operate with governments and law enforcement agencies worldwide in the recovery of stolen or looted objects. The onus is on the company, and on the eminent men and women on its board, to respond to these charges; if it cannot counter them, it should announce forthwith how it proposes to come back within the law.

IRREVERSIBLE OPT-IN

Business should weigh the social chapter's true cost

Britain's opt-out from the social chapter, Labour's Shadow Foreign Secretary, Robin Cook, argued yesterday, serves Tory dogma and not national interests. Mr Cook repeated Labour's pledge to sign Britain up to the Maastricht treaty's seven enabling clauses on social affairs. On the previous evening in Brussels, the Prime Minister had not only defended the value of his social opt-out but blamed the Continent's high unemployment rate on over-regulation in general and the social chapter in particular.

John Major cannot be convicted of merely dogmatic repetition. He all too plainly believes his economic achievements to be under threat. But he tends to muddle different kinds of business burdens which inhibit the creation of new jobs in some continental economies. EU obligations make a relatively small contribution to employers' non-wage costs; more damage is done by intricate, accumulated welfare and labour rules established at national level. The Dutch Government lives with the social chapter; by starting its campaign to deregulate its national labour market in the 1980s, The Netherlands is posting job creation figures almost as good as Britain's.

Britain's social opt-out in 1991 called a bluff. No sooner were the Maastricht treaty and its social protocol signed, than the flow of EU social legislation dried up. The regulatory climate in Brussels and continental capitals, although falling well short of realism, did change. Three directives have been passed under the social chapter: mandatory works councils for firms above a certain size, three months paid parental leave, and a shift in the burden of proof towards claimants in discrimination cases. Two other measures are under discussion: extending the works council rules to a much

greater number of companies and a law giving minimum rights on dismissal.

It is no defence of these laws that they will do less harm than some Conservative ministers might like to suggest. Mr Major told his audience in Brussels that "one signature on the social chapter would mean half a million signatures on the dole" — an assertion for which he has produced no evidence or calculation. The case against the social chapter goes far deeper than specific directives. Britain should retain its opt-out because the chapter provides an irreversible opportunity to pass anti-competitive and expensive law at any time. It is not impossible to reverse an EU directive, but no social legislation has yet been repealed.

Mr Major himself has already discovered that a mistake once made cannot be rectified: his retrospective attempt to exempt Britain from the directive limiting the working week to 48 hours stands little chance of success. The fact that there is relatively little law in the Brussels machine at the moment gives no guarantee about the quantity which might be processed in the future.

Businessmen in Britain trying to work out what the social chapter might mean for their companies may turn for consolation to various statements from the Opposition hinting that a Labour government will protect business from damaging EU law. But directives under the broad headings of equal opportunities, "working conditions" and "information" can be passed under the social chapter by majority vote. The freedom to choose the social law appropriate to a national bargaining culture, business environment and legal system — a freedom perfectly compatible with an open EU market — lies in the flexible arrangement which Britain enjoys at present.

THE TWO CLINTONS

The President returns to his days of failure

With his Republican opponents applauding through gritted teeth and a television audience impatiently awaiting a verdict in the O. J. Simpson case, Bill Clinton delivered the first State of the Union address of his second term. The President spoke for a full hour, offering six main sections and at least 36 separate sub-clauses. Although not quite as lengthy as his 80-minute effort in 1995, it still tested the patience of the nation.

Republicans will not be alone in finding aspects of the early and unsuccessful Clinton tenure in the text he outlined. Then, as now, the President appeared to back so many diverse initiatives that it was hard to discern what, if anything, were his true priorities. Even in the area of education, which received the greatest share of Mr Clinton's attention, his ten-point plan covered swathes of different and often disconnected territory.

Rhetorical confusion will not, however, be the factor that most frustrates the Republican Speaker, Newt Gingrich, and the Senate Majority leader, Trent Lott. Their chief concern will be the relatively low profile Mr Clinton ascribed to a balanced budget. Congressional leaders hoped that the President would take this opportunity to lay out, in some detail, what cuts in the welfare state he would accept to attain fiscal balance. Details they got by the dozen — but not on their preferred subject.

The President did pledge his support for balancing the budget, but with his familiar caveat that popular programmes such as education, Medicare and environment spending must be preserved. That is rather like promising to abandon alcohol apart from

beer, wine and spirits. Having made soothing noises as to principle and avoided the practical, he moved swiftly on to the evidently more exciting area of the Internet.

More disturbingly still, the President, who on the same occasion 12 months ago pronounced the "era of big government" to be over, seemed inclined to embrace its resurrection. Among his new proposals were tax credits for college tuition, additional Medicare services, and a new emphasis on the arts. All require greater government expenditure and added power for Washington over public life. Here again it appears that the failed President of 1993, banished during the quest for re-election, has returned.

Mr Clinton's version of the US budget will be unveiled today. Possibly, his expansive State of the Union address was intended to offset what will be a dry and disciplined document. The moves that might permit all sides to reach an economic accord will, perhaps, be buried in the hundreds of pages that he publishes. If so, Mr Clinton, Mr Gingrich, and Mr Lott should be capable of seeking compromise in a more constructive fashion than that which shaped their last, disastrous, attempt. Co-operation on many other elements of domestic and foreign affairs would then be much enhanced.

The less appealing possibility is that the President could choose to evade hard choices and rely on implausibly optimistic economic forecasts instead. In that case, Republicans would be rightly furious. They would see no point in bartering with the White House. Little of long-term value would be achieved in this term. It for the President to decide.

Hurd replies on Serbian contacts

From Mr Douglas Hurd, MP for Witney (Conservative)

Sir, I agree with your leading article of February 4, which carries the subtitle, "The world must speak to Belgrade with one voice". You refer specifically to my own attitude. I have made it clear in public and private that I wholly support the line taken by Malcolm Rifkind, namely that Mr Milosevic should recognise fully the results of the Serbian municipal elections.

Last year, after signature of the Dayton Agreement and the lifting of sanctions, it seemed possible that the Government of the Federal Republic of Yugoslavia had decided to move towards economic and political liberalisation. It is very much in the interests of the West that they should do so. In those circumstances it was legitimate for an international Western bank to offer to help in carrying through this programme.

In recent weeks, Mr Milosevic moved consistently in the opposite direction, with lamentable results for his people. It is too soon to be sure from yesterday's announcement how far that movement has been reversed.

In the Federal Republic of Yugoslavia, economic and political reform must go hand in hand. For example, privatisation of telecommunications has to take place within a framework approved democratically by parliament. More widely the FRY cannot begin to prosper economically or cope with its sovereign debts without a transformation of the political climate.

Only after such a transformation can outsiders give effective help. As was widely reported in the press over the weekend, NatWest Markets has made this view clear to the FRF ministers.

Yours faithfully,

DOUGLAS HURD

(Deputy Chairman,

NatWest Markets),

12 Redan Street, W14,

February 5.

Service pensions

From Major-General P. R. F. Bonnet, General Secretary of the Officers' Pensions Society

Sir, The Shadow Chancellor's announcement (report, February 5) of his intention to freeze the salaries of senior ranks of the Services for one year takes no account of the fact that such a step would affect not only their pay but also their pensions.

Unlike Cabinet ministers and MPs who determine such matters, and others in the public service, Service pensions are based on salaries in force on the day of retirement. Servicemen who retire during the freeze would thus be penalised, not just for the one year of the freeze but for the remainder of their lives. Their widows will be similarly penalised.

These severe and unintended long-term consequences of the Shadow Chancellor's proposal can be resolved by deeming that, for pension purposes, the increased salaries had been awarded — a measure which has been allowed in the past in the interests of fairness.

Yours faithfully,

P. R. F. BONNET,

General Secretary,

Officers' Pensions Society,

68 South Lambeth Road,

Vauxhall, SW8,

February 5.

Net Book Agreement

From Lady Elizabeth Longman

Sir, I was heartened to read your report (January 29) that Auberon Waugh and Tom Stoppard were protesting in the Restrictive Practices Court against a move by the Director-General of Fair Trading to scrap the Net Book Agreement.

As President of the Publishers Association in the Sixties, my late husband, Mark Longman, fought and helped win, on behalf of most serious publishers, the battle to retain this important ruling. It is sad to read that the Publishers Association has withdrawn from the action and that it is left to a few literary stalwarts to try and convince the court that surely it is in the public interest to retain the agreement for the very good reasons so emphatically expressed by those mentioned in your report. May others join them.

Yours faithfully,

ELIZABETH LONGMAN,

The Old Rectory, Todenham,

Moreton-in-Marsh, Gloucestershire,

February 2.

Golden the light

From Mr L. J. Rowe

Sir, There can be few who have been immortalised by a future Poet Laureate, as was Myfanwy Evans, later Piper (obituary, January 24). I was surprised, therefore, to see no mention of John Bejerman's eloquent tributes to her as a young Oxford contemporary ("Golden the light on the locks of Myfanwy") in two love poems, *Myfanwy and Myfanwy at Oxford*, published in *Old Lights for New Chances* (John Murray, 1940).

Yours faithfully,

LESLIE ROWE,

Scarlett House, Thurso, Caithness,

January 25.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Changing terms of Burrell's bequest

From the Director of Glasgow Museums and Art Galleries

Sir, Magnus Linklater (Burrell's will should still be done", January 30) appears to believe that the terms of bequests should never be changed. If so, he is wrong.

We believe we are doing what Sir William Burrell would have wished in changing circumstances. He originally willed that his collection should be housed 16 miles from the city because it was so polluted. He could not have predicted the effects of the Clean Air Act which in fact allowed the Burrell Gallery to be built in Glasgow itself.

Sir William certainly wanted his collection to be lent but only in Britain, because, as a ship owner, he did not trust ships. He could not have predicted the safety of air travel which now enables all the great museums of the world to lend freely to each other.

We are sure he would want his collection to join them. How could he have resisted a request to have items from his collection exhibited, for example, in the Louvre?

Yours faithfully,

JULIAN SPALDING, Director,

Glasgow Museums and Art Galleries,

Art Gallery and Museum,

Kelvingrove, Glasgow,

February 4.

From Mr D. Maxwell Macdonald

Sir, The Burrell Collection is housed in its own building in Pollok Park, not in Pollok House as stated in Magnus Linklater's excellent article. Both house and park were given to the City of Glasgow by my mother in 1969 and the provision of a site for the Burrell building was an integral part of that gift.

My mother's expressed wish was that the house should be maintained for the enjoyment of the public and as the home for her family's collection of Spanish and other paintings, to be known as "The Stirling Maxwell Collection" in memory of her father.

Until recently the City of Glasgow has kept Pollok House open to the public but last year it was decided to close it for the winter for economy reasons (after eight months of refurbishment). I have now heard that its planned Easter reopening has been deferred until late June at the earliest. One has to wonder whether it will open at all.

This is clearly another case of Glasgow seeking to ride roughshod over the wishes of a benefactor. I wholeheartedly agree with Mr Linklater's exhortation to the members of the parliament to insist that the Burrell Collection should be housed in Pollok House.

Early in the 1990s Lord Rippon was instrumental in setting up the House of Lords Delegated Powers Scrutiny Committee, and he was its first chairman from 1992 until ill-health forced him to resign in 1995. That committee is now firmly established within the work of the House and is highly respected — and indeed feared — throughout Whitehall. A valuable increase in parliamentary control of the executive has been the result.

Valid vows

From Mr Robin Spon-Smith

Sir, I suspect that Rod Earnshaw and Shirley Wilson are more concerned about the validity of their putative marriage (report and letter, February 1) in civil law than in ecclesiastical law.

For the purposes of a marriage according to the rites of the Church of England, the Marriage Act 1949 requires the presence of a clerk in Holy Orders.

Plainly that expression does not embrace a person masquerading as a clergyman, however well intentioned that person and whether or not the parties to the "ceremony" were aware of the deception.

Yours truly,

ROBIN SPON-SMITH,

1 Mitre Court Buildings,

Temple, EC4,

February 3.

Philip Lawrence

From Mr Harry Greenway, MP for Ealing North (Conservative), and the Right Reverend the Abbot of Ealing

Sir, The Times reported on December 11, 1995 (see also letter same day), that you had launched, on behalf of our community in Ealing, the Philip Lawrence Memorial Fund to commemorate the great life and work of Philip Lawrence, former Headmaster of St George's Catholic School, Maida Vale, murdered when he went to the aid of a pupil, and to support his widow, Frances, and their family.

To date, £153,400 has been raised, not a penny of which has been spent on administration. The money is being used in three ways: a memorial plaque, which was unveiled by the Duchess of Kent and Lucien Lawrence and dedicated by Cardinal Basil

Hammond, to bear in mind the far-reaching reverberations of a decision to alter the terms of Sir William Burrell's will.

Yours faithfully,

DONALD MAXWELL

MACDONALD,

55 Park Walk, SW10,

January 30.

From Dr Norman H. Tennent

Sir, William Burrell was not only a great art collector but also a wise one. He correctly identified the threat of pollution to museum collections and insisted that his collection be located so as to protect it from Glasgow's industrially-generated pollution (now largely replaced by the hazards of pollution from motor vehicles).

In stipulating that his collection should not travel abroad, he also astutely anticipated the dangers posed to art collections in transit. He would no doubt have been gratified that preventive conservation is now at the heart of the care of museum collections and that many specialists are researching ways to minimise the damage which collections may suffer as the result of air transport.

It is all the more sad, therefore, that Mr Spalding is seeking not only to change the terms of Sir William's bequest in order to allow loans abroad, but that he is also proposing unjustifiably drastic cuts to his well respected team of 14 fully qualified conservators. These cuts, if enacted, would leave but three professional conservators and no experts in preventive conservation.

It seems that Sir William anticipated only some of the hazards to museum collections.

Yours sincerely,

N. H. TENNENT

(Chief Conservation Scientist,

Glasgow Museums, 1975-87),

The Netherlands Institute for

Cultural Heritage,

Gabriel Metsustrat 8,

107EA Amsterdam,

January 30.

From Mr Henry Hely-Hutchinson

Sir, Perhaps Members of Parliament might consider whether some time limitation should be placed on the wishes of all benefactors. Where there are strings, there is no gift.

Yours faithfully,

HENRY HELY-HUTCHINSON,

22 Kylestrone House,

Cundy Street, SW1,

February 2.

Rippon in the Lords

From the Leader of the House of Lords

Sir, Your full obituary of Lord Rippon of Hestham (January 30) made only a passing reference to his career in the House of Lords. Whatever the future of the second chamber, Lord Rippon made a unique contribution to our procedures which deserves the thanks of all members of our House.

Early in the 1990s Lord Rippon was instrumental in setting up the House of Lords Delegated Powers Scrutiny Committee, and he was its first chairman from 1992 until ill-health forced him to resign in 1995. That committee is now firmly established within the work of the House and is highly respected — and indeed feared — throughout Whitehall. A valuable increase in parliamentary control of the executive has been the result.

In 1994 Lord Rippon chaired an informal group which made a number of recommendations for the better management of the work of the House: more Friday sittings, an informal 10pm cut-off for controversial business, new time limits for certain debates and, most significantly, an increase in the consideration of Bills in committees off the floor of the House.

These have all proved useful mechanisms to assist what is still an amateur and unpaid House more effectively to scrutinise the legislation put before it.

Lord Rippon had great experience and technical knowledge of the legislative process. He also managed to combine tact with authority. It was an irresistible combination.

Yours faithfully,

ANNE SAUNDERS (Hon Editor),

London Topographical Society,

3 Meadow Gate, NW11,

February 3.

From Mrs Irene Whitfield

Sir, Is this a record for global cooling? 20°C and snow in Bermuda, according to your table of temperatures (later editions) today.

Yours faithfully,

I. A. WHITFIELD,

32 Pembroke Square, W8,

February 3.

Bill, book and candle

From Mr Michael Harbour

Sir, On seeing your picture today of Anglican clergy receiving self-defence lessons from the Northamptonshire Police I am now convinced the world has gone mad. I will not be surprised when policemen attend a course given by the clergy to learn sympathy, the value of virtuous conduct and how to pop around unexpectedly for tea and biscuits.

Yours faithfully,

MICHAEL HARBOUR,

58 The Verlands,

Cowbridge, South Glamorgan,

February 5.

Tunes of glory

From Mr L. Peacock

Sir, Your report about music to inspire the England cricket team reminded me of a similar exercise carried out in the team I once had the honour to represent — Woodlands CC. One piece of music was enough for us all — *Send in the Clowns*.

Yours faithfully,

LESLIE ("Slasher") PEACOCK,

2 Horton Gardens,

Woodhall Farm, Hertfordshire,

February 5.

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046.

OBITUARIES

PAMELA HARRIMAN

Pamela Harriman, US Ambassador to France since 1993, died yesterday in Paris after a stroke aged 76. She was born on March 20, 1920.

The former daughter-in-law of Sir Winston Churchill, Pamela Harriman was one of the great courtesans of her age. Those, however, who saw her simply as some sort of reincarnation of Madame de Pompadour ignored the very real talent for organisation and flair for money-raising that she put at the service of the Democratic Party — and particularly of Bill Clinton — during the days of the Reagan and Bush Administrations.

She was one of the moving spirits behind the centrist Democratic Leadership Council — most of the fundraising functions of which were held at her grand house in Georgetown — and her reward for all the support she had given to the new President came when he nominated her to the Paris Embassy in 1993. She served there with flair and distinction, more than making up in style what she may have lacked in detailed diplomatic knowledge.

There was, however, a darker side even to the later part of Pamela Harriman's life. She became conspicuously rich in her own right only after the death in 1986 of her third husband, Averell Harriman, the former Ambassador to Moscow and Governor of New York. He left her the guardian of his fortune, though with some trust provisions for his grandchildren deriving from his first marriage. She was soon engaged in an angry dispute with their lawyers and trustees over the apparent draining away of very substantial assets. She eventually launched an action against her own lawyer, the classic Washington insider Clark Clifford, whom she dismissed, and claimed to have reached an undisclosed out-of-court settlement with her husband's two daughters and their descendants.

This well-publicised episode cast a cloud over her tenure of the Paris Embassy, at one stage even threatening to force her resignation. She was not in any event expected to remain in Paris throughout President Clinton's second term, having a year ago in an interview with *The Washington Post* intimated that she was tired of living in the public eye and was ready to go home to Washington.

Pamela Beryl Digby, as she was before her first marriage to Randolph Churchill at the age of 19 in 1939, was the eldest daughter of the 11th Baron Digby. Brought up at Minster Magna, a great house in Dorset, she had the typical upbringing of a society girl of her era. Not much attention was paid to her education — though, slightly unusually for the

period, she did go away to a boarding school in Norfolk — and most of the family's efforts were bent to organising her coming-out.

Her debutante season was not, however, strikingly successful. Described by one of John F. Kennedy's sisters as "a fat, stupid little butterball", she landed no husband and allowed herself to be compromised by two notorious liaisons with the young Earl of Warwick and Philip Dunn, the heir to the Canadian steel magnate and friend of Lord Beaverbrook. Sir James Dunn, when, after the 1938 season, the family moved back from Carlos Place, Mayfair, to the country, there was no serious suitor in view.

All that changed in September 1939 when, while working as a French translator at the Foreign Office (she had been to a finishing school in Paris), she met through a flatmate the already distinctly louche son of the then First Lord of the Admiralty, Winston Churchill. She was later to claim that he had "swept her off her feet" — and certainly they were married within three weeks (even more helpfully a son, Winston, followed within a year, providing her with her lasting passport to the Churchill family).

The marriage itself, though, soon foundered — thanks more to Randolph's reckless gambling than to anything else — and the young wife and mother was soon under the protection of Lord Beaverbrook to whom she had appealed for help with her husband's debts. It was through Beaverbrook — who had taken her over to Chequers where Winston Churchill, now Prime Minister, spent the weekends (when he was not at Ditchley) — that she first met the man who had just come over to Britain as President Roosevelt's special lend-lease envoy.

W. Averell Harriman was then nearly 50, quite old enough to be Pamela's father. There seems, however, to have been an instant mutual attraction and in a matter of weeks the young English redhead and the experienced American tycoon and statesman were sleeping together. The convenience of Winston and Clementine Churchill in the face of this arrangement — which clearly possessed political advantages in terms of the Anglo-American Alliance — effectively put paid to whatever slight chance there was of salvaging the marriage to Randolph. (He and Pamela were divorced in 1946.)

But there could, at least at that stage, be no question of marriage to Harriman. Already on to his second wife — his first marriage, from which there were two daughters, had ended in divorce in 1929 — he married Pamela (even if her typical ambitions, and a wedding to an English divorcee would not have helped those. By the time Harriman was posted to Moscow



as US Ambassador in 1943, the relationship had already cooled somewhat (not least because of an ultimatum issued by Harriman's second wife Marie, who had learnt about the affair even in New York).

For Pamela it was time to go on to pastures new: she held the ideal post for that purpose, helping to run what was known as the Churchill Club in Ashburnham House (the elegant 17th-century building belonging to the then evacuated Westminster School) in Little Dean's Yard, SW1. Designed as a refuge for cultivated English-speaking servicemen of all ranks, the club offered her a marvellous entrée to the more select elements of Anglo-American society. She took full advantage of it, embarking on sexual relationships with the former New

York socialite (and later Ambassador to London), Jack Hay Whitney; an American Air Force General, Frederick L. Anderson; William Paley, the president of CBS; Sir Charles (later Lord) Portal, the head of the RAF's Bomber Command; and, above all, Ed Murrow, the London correspondent of CBS News.

In this gilded Murrow was very much the odd man out. He was neither rich nor, in the conventional sense, illustrious or distinguished. But there seems little doubt that at this stage of her colourful and variegated career, he was the man whom Pamela wished to marry. There was, however, a snag — he was married.

But in doing so, Elie Rothchild probably did her a good turn. By 1938 she had spent a decade in France and it was time to move on. She did so by returning

to New York, where she had once hoped to live with Ed Murrow. It proved to be a fortunate choice. Invited to be a part of the theatre by her old flame, Bill Paley, she took along as her escort a man she had never met before (but whose wife she knew), the theatrical agent and Broadway producer of musical shows such as *South Pacific* and *Call Me Madam*, Leland Hayward. That same night — as they reported laughingly to their host they had left the theatre at the interval — they were in bed together. Two years later, Hayward having in the meantime divorced his wife, they were married.

The marriage, which lasted for 11 years before Hayward's death in 1971, was a happy one — married only, in an ominous foreboding of things to come with the Harriman family, by an acrimonious dispute with her second husband's children over his property.

Six months after she had been widowed Pamela married the man with whom she had conducted her wartime affair 30 years earlier. Averell Harriman's second wife, Marie Whitney Harriman, had died the year before, so their meeting again — originally at Katharine Graham's home in Washington — could have been regarded as providential. Harriman was, by the time of their marriage in September 1971, nearly 80 and much troubled by deafness. Nevertheless, he himself was to say at his 90th birthday party in 1981: "The happiest years of my life have been with Pam."

He died five years later in 1986, leaving a \$30 million trust fund to be distributed in 25 years' time among his grandchildren, \$4,000 each to his daughters and virtually everything else, including his property, pictures and a fortune of at least \$60 million, to his wife. No member of Harriman's family felt disposed to challenge the will but things took an ugly legal turn when it was suggested that she had mismanaged and squandered the assets forming the trust fund due to his grandchildren. This dispute was apparently settled last year, though not without Pamela Harriman having to sell some celebrated Impressionist paintings and being forced to agree to pursue her own former business and legal advisers jointly with the original plaintiffs to the action.

She found consolation in the professional impression she created throughout the nearly four years which she spent representing the United States in France. Rather touchingly, the entire bravura display had been made possible only by her decision to take out American citizenship as a wedding present to her third husband, this time her husband. She is survived by her only child, Winston Churchill, the Conservative MP for Daventry.

RONALD FOWLER



Ronald Fowler, CBE, economic statistician, died on January 5 aged 86. He was born on April 21, 1910.

RONALD FOWLER will be remembered as the statistician who established the Retail Prices Index and the Family Expenditure Survey. From 1914 until 1947, changes in retail prices had been measured by the Cost of Living Index. This was the only official measure of inflation and consequently had a great impact on wage negotiations. However, it was constructed

by measuring changes in the cost of buying a fixed "basket of goods" which was based on a survey of the budgets of working-class households made in 1904. This gave high weights to items such as candles, and by 1947 it was hopelessly out of date.

A new *Interim Index of Retail Prices* started in 1947, but this was still based on pre-1939 patterns of expenditure. Under Fowler's direction, and following recommendations by the RPI Advisory Committee, a succession of improvements was made. The first postwar survey of household

expenditure was held in 1953-54 in order to obtain weights for a new Index of Retail Prices, which started in 1955. A permanent survey, the Family Expenditure Survey, was started in 1957 to collect the expenditure data continuously. Finally, in 1962, the present "chained" system was introduced, under which the weights of the RPI are updated every year.

Ronald Frederick Fowler was educated at Bancroft's School, the London School of Economics and at the Universities of Lille and Brussels, before becoming lecturer in

commerce at LSE. He published *The Depreciation of Capital* in 1934.

With the outbreak of the Second World War he became one of the founder members of the Central Statistical Office, which was set up by Winston Churchill to serve the War Cabinet. It was during his time at the CSO that Fowler was influential in developing a system of employment statistics based on counts of national insurance cards.

In 1950 he was appointed Director of Statistics at the Ministry of Labour, where he was responsible for the entire range of labour statistics, covering employment and unemployment, wage rates and earnings, industrial disputes and retail prices. These were all topics of great political interest.

Fowler was Director of Statistics at the Ministry of Labour from 1950 to 1968. He introduced the monthly index of average earnings and conducted other surveys of earnings, salaries and labour costs.

He was then Director of Statistical Research at the Department of Employment until he retired in 1972. During this period he published further papers on the duration of unemployment and the construction of index numbers. He was a consultant on prices to Statistics Canada and to the Prices Commission. A quiet, self-effacing man, Fowler had unexpected interests. In his forties, he taught himself Latin so that he could read the classical texts in the original. He was appointed CBE in 1950.

In 1937 he married Brenda Smith. She survives him.

IAN THRELFALL



Ian Threlfall, QC, died on January 6 aged 76. He was born on January 14, 1920.

CLASSICAL scholar, historian, archaeologist and lawyer, Ian Threlfall could have followed any of these disciplines with distinction. But he chose the Bar, developing a formidable reputation as a QC in the area now generally called "competition law".

Competition law involves the application of legal and economic principles to the determination of the public interest in matters of monopoly and anti-competitive conduct. Industry's need for advocates with the intellect to understand commercial and economic issues, as well as strictly legal matters, created a new market in which Threlfall grasped the opportunities. He led a remarkably successful group of barristers' chambers in Gray's Inn — now known as Monckton Chambers, at 4 Raymond Buildings.

When Threlfall started practice, the Second World War was barely over. By the time he retired, the area in which he practised had changed beyond recognition. He was in at the beginning of the old "cartel" or trade association cases that were considered by the Restrictive Practices Court in the later 1950s. He went on to lead in cases under the Resale Prices Act of 1964 and in references to the Monopolies and Mergers Commission under the Fair Trading Act, 1973. What had started as an interesting if specialised subject for lawyers and economists had grown, in part as a result of Britain's entry into

the EEC in 1973, into a major area of law and policy affecting the relations between the State and the corporation.

Richard Ian Threlfall was born in Edgbaston and educated at Oundle. He followed in his father's footsteps, going up to Gonville and Caius College, Cambridge, in 1938 to read law. But he was already seriously interested in archaeology, too, and had helped to excavate a medieval settlement at Bere in Devon.

Threlfall's academic career was interrupted in 1940 when he enlisted in the Army. He served with the Indian Armoured Corps (Probyn's Horse), was twice mentioned in dispatches, had a substantive rank as captain, and was promoted to lieutenant-colonel by the end of the war. He took part in one of the most decisive battles of that war, at Imphal, and was on the staff of Field Marshal Slim. But he was always reticent about his war record, never boasting of the courage which he had shown.

In 1946 he returned to

Cambridge to complete his law degree. He was called to the Bar by Lincoln's Inn in 1947, and joined the chambers of Brian McKenna, QC (later Mr Justice McKenna) in 1948. He took silk in 1965 and was made a Master of the Bench of Lincoln's Inn in 1973.

He married in 1948 Annette Matthey, whose family had long been associated with the Goldsmiths' Company. Threlfall dedicated himself to the affairs of this lively company for more than 30 years. He became Prime Warden, 1978-79, but his main work, from 1974 to 1991, was as chairman of the company's assay office committee, the work of which is essential to the retention of the highest standards of quality in the use of precious metals and their description. He was also closely involved in the company's educational and charitable work.

Threlfall's classical scholarship was also put to good use, not least when, on holiday in Crete with his family, he was arrested on suspicion of being an American spy on a secret military installation. Release was only secured when Threlfall recited the first ten lines of the *Odyssey*. His Oundle-educated accent cleared him of suspicion of being American.

In retirement, Threlfall worked assiduously with the East Surrey Health Authority, tended the splendid garden of his Limsfield house and nurtured his growing family of grandchildren.

He is survived by his wife Annette and by two sons and three daughters. Another son predeceased him in a car accident.

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THE BALLOONS HAULED DOWN

For many dwellers in great cities, as they listened to Neville Chamberlain's broadcast announcing the declaration of war, the first evidence of the strange adventure into which they were entering came from the silent ascent all round them of the barrage balloons. For a time during those early days of sinister and unnatural calm, the balloons remained almost the only visible reminder that war was in progress. Aloft in the sunshine they could gleam with an unearthly beauty; their elephantine gambolings near the ground could make them uproarious figures of fun, or, on a wet and windy day, the cause of utter exasperation. But in the years of danger they and their gallant crews, of both sexes, have done the country inestimable service — from which to-day, so far as home defence is concerned, they rest.

Yesterday the Secretary of State for Air said farewell to Balloon Command, and many thousands of men and women will disperse, some to continue with the balloons under other R.A.F. commands abroad, most to new duties in the old cause. They go their several ways with the memory of a comradeship in which they played an essential part in those successive defeats of the *Lufwaffe* which have

ON THIS DAY

February 6, 1945

In the early weeks of 1945 signs were apparent everywhere that the Second World War was entering its final phase.

now issued in a firm allied mastery of the air. Working in constant association with the guns of Anti-Aircraft Command, they helped to protect London and other great cities in the grim second winter of the war; they made a swift new deployment against the "Backer Raids", and another when "up-and-run" raiding was directed against the south coast; they took the offensive at the invasion of Europe and were on guard over the beaches on D Day; and more lately still they brought down 278 flying bombs. Besides all this, they had their tasks in the landings at Dieppe, Sicily, Salerno and Corcoran and for three years provided a mobile canopy over merchant ships traversing the Channel. Civilians

and soldiers, seamen and landmen will preserve with affection the memory of their plump and amiable guardians, and hold in honour the men and women who, through tedium, hardship and danger, laboured to keep them in the sky.

AMERICANS IN MANILA

Manila, Feb. 5 — British and Australian prisoners were among about 3,700 internees rescued when the 1st United States Cavalry Division cut their way through the Japanese defenders of Manila and threw open the Santo Tomas internment camp. Miss Barbara Clear, a member of Reuters' Manila staff, who was among those freed, said: "Nine hours ago I was one of the 3,700 civilian internees for whom the prison doors were opened when American troops hacked their way with knives through Japanese resistance to rescue us from our internment camp. I had been interned since January 4, 1942, and for the past five months we had been gradually starving to death. When the American landed in Leyte the Japanese discipline became much more strict. Doctors among the internees were giving death certificates showing the cause as malnutrition, but the Japanese demanded that the certificates should be falsified and altered to read 'natural causes'."

Shuttle slashes fares to regain lost business

BY STEVE KEENAN

LE SHUTTLE turned the screw in the cross-Channel price war yesterday when it sharply undercut its arch-rival P&O Ferries by slashing up to a quarter off the price of last year's Channel Tunnel fares.

The tunnel operator's 1997 summer tariffs show a simplified fare structure and a level of prices it hopes to maintain throughout the year, without resorting to last summer's fierce price war.

It has cut its standard return price to £169, from £268 last year, while fares for the eight peak weekends in the summer drop from £328 last year to £199. These prices cover a car and up to nine passengers.

The shuttle prices compare with P&O's £268 peak rate and £218 for a standard return for a car and three passengers.

Bill Dix, Le Shuttle's managing director, says: "We want

to have prices that are competitive and affordable. And we are hoping not to have to mess around with discounts this summer."

In June last year, Le Shuttle slashed its peak fare from £328 to £129 to spark a price war among the four ferry rivals operating out of Dover. The average return ferry fare was close to £100 during last summer.

Le Shuttle also announced yesterday that it is matching P&O's offer of any 1997 return fare for £99 when it is booked and paid for by February 28. Stena has a £98 fare, with a £79 fare available from Sea France and Hoverspeed (Folkestone-Boulogne).

Now the market is waiting to see what prices Stena, the third-largest operator on the short-sea route, will tempt passengers with when it produces its summer schedule

shortly. While the ferries benefited in November and December from the fire damage to the tunnel, Le Shuttle claims that confidence in its services has now recovered enough to take a 38 per cent share of the joint Dover/Folkestone-Calais market. Last October, before the fire, it held a 30 per cent share.

But with the proposed merger of P&O and Stena expected to be approved by the Monopolies and Mergers Commission on March 6, a price war this summer appears unlikely. The joint ferry operation will cut excess capacity, the main reason for last summer's price cuts.

Mr Dix says the market is expected to see a further increase in 1997, dampening the possibilities of a price war. Last year the number of cars passing through Dover on the tunnel increased by 25 per cent to 2.5 million return journeys.

Of that figure, around 1.6 million were British cars, with half on day trips or short breaks. Fifteen per cent were business travellers and 35 per cent were taking long-stay holidays.

The average number of passengers per car was 2.5. "The increase in 1997 could be more than 15 per cent," said Mr Dix.

"With the strong pound we are seeing our operators booking heavily — but the big growth is in day trips and short breaks."

"There are a tremendous number of people in the South East who have not yet been through the tunnel."



Le Shuttle hopes that 1997 will be just like the old days

Hotels use VAT loophole to hide price increases

BY DAVID CHURCHILL

are increasingly on rates exclusive ask the substantial differences over the past

practice, which is at present, could be after a Department of and Industry review scheduled earlier this week of price-marking legislation affecting hotels.

The practice was exposed this week by business travel agency Carlson Wagonlit Travel. It claimed that three- and four-star hotel chains such as Forte and Sarova hotels were behaving "arrogantly" by putting up rates and then trying to hide the increases by quoting prices before VAT was added.

Ms Paula Batten, Carlson's general manager for hotels, says that "this is a growing trend which is purely in the

hotels' interest". She says the practice came to light while her agency was carrying out its regular monitoring of hotel rates for its corporate clients. Among hotels adopting this policy, she claims, was Forte's four-star Cavendish Hotel in central London, which quotes £140 plus VAT for a single room, and Sarova's Washington hotel in Mayfair, which charges £160 plus VAT a night.

Most five-star hotels in London have quoted prices exclusive of VAT for some time, arguing that it is helpful for overseas and business guests who can claim the VAT back. But it is believed that this is the first time that four-star hotels have adopted the policy.

Hotel industry sources also suggest that Forte may also institute a similar policy for its three-star Posthouse chain,

although the company strongly denied this yesterday. But Ms Batten says that "the three- and four-star hotel chains planning such a move are predominantly dependent on domestic visitors and many British travellers may face unpleasant surprises when they get their room bills this year."

Quoting prices exclusive of VAT is lawful in certain circumstances because of exemptions made for VAT-registered guests under the 1987 Consumer Protection Act and the hotel industry code of practice adopted the following year.

However, the law remains confusing in its application and the DTT wrote on Monday to the industry's trade body, the British Hospitality Association, asking for suggestions as to how the law concerning hotels could be amended.

Britain aims to be No 1 destination

BY HARVEY ELLIOTT

BRITAIN is bidding to become the world's number one holiday destination, attracting millions more tourists who will fuel an economic and employment boom.

But in a document aimed at finding ways of turning the policy into reality, published yesterday, there is no mention of the number of foreign tourists and little mention of how the ever-rising number of visitors is to be managed.

After unveiling the report, Success Through Partnership,

produced by the Government and the tourist industry, the Heritage Secretary, Virginia Bottomley, said: "We want to make Britain the number one destination, not just for domestic tourists but for Europeans and the rest of the world. We want to extend the season and develop areas away from places such as London, Oxford and Stratford. And there is no limit in sight to the increase in visitors we can accommodate."

Britain earns more than £37 billion a year from tourism and its total economic impact is estimated to be more than twice that. It accounts for over 7 per cent of employment.

But the document acknowledges that not everyone is happy about the continued growth in tourists in London and at popular attractions throughout Britain.

"The presence of tourists is sometimes resented," admits the report. "The full economic

and social importance of tourism is still not recognised in some quarters."

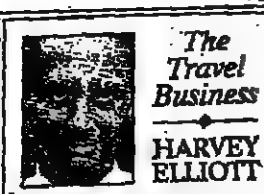
Equally, foreign visitors often have negative images of Britain. "Some potential visitors see us as old-fashioned and gloomy, with bad weather and bad food. People who have never visited Britain may be deterred by misleading and outdated perceptions," the report says. London is often criticised as having a "variable quality product, environmental clutter and traffic congestion," the report says.

Most other countries immediately followed the CAA's lead. But Russia, China and the United States refused, arguing that their fuel was pumped at a slower speed and there was therefore less risk.

Officially, the FAA has yet to decide whether to accept the NTSB's recommendations. But airlines are already convinced that new regulations are inevitable.

Any new moves to improve safety would implicitly mean that mechanical failure was now the accepted cause of the disaster, throwing open the doors to legal actions by relatives, with potential damages of more than £5 billion. Most of the insurance for such damages is held with Lloyd's in London.

Airlines facing new safety costs



It is the last item that will cause particular annoyance in much of the rest of the world and will inevitably lead to accusations that had the US followed the advice of Britain's Civil Aviation Authority the accident would not have happened in the first place.

The FBI was at first convinced that the explosion on the Boeing 747, in which 230 passengers and crew died, had been caused by a bomb. Officials from the National Transportation Safety Board

(NTSB), however, were unconvinced and, with the help of Britain's Air Accident Investigation Branch, they reassembled millions of pieces of wreckage in an attempt to establish just what went wrong — and why.

Now they are almost certain that a spark caused by static electricity triggered an explosion in fuel vapour which had built up in the nearly empty centre-fuel tank. Alarmingly, they fear that all modern jet airliners could suffer the same fundamental design problem.

As a result, the NTSB passed its "urgent recommendations" for mandatory safety improvements to the FAA on December 13. It now has 90 days in which to respond.

But the CAA recognised

many years ago that the rapid movement of fuel within a pipe or a pump could lead to the build-up of potentially dangerous static and ordered all British airports to use an additive — known as SDA — when refuelling to eliminate the danger.

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Bear facts: a Discovery Initiatives project in British Columbia aims to protect brown bears from the dangers of logging

Operator targets 'green' tourists

BY TONY DAWE

HELPING to monitor chimpanzees and their habitat in the Congo and working alongside Russian anti-poaching units protecting tigers are among the unique holidays offered by an environmental travel company launched this week.

Discovery Initiatives plans to give travellers the chance to play their own part in saving threatened species and regions by joining conservation projects and working alongside local people as well as scientists.

"The real difference about our programme is that tourists will become closely involved with the communities they want to help," says Julian Matthews, the company's founder.

"Many of these projects are the sort of schemes which people might write a small cheque to support. By joining the project for a holiday, tourists will know that the money they are spending, as well as their time, will go directly towards helping achieve their objective."

The launch of the company follows the success of Earthwatch, the Oxford-based

charity which now sends thousands of travellers to work on conservation projects around the world. Matthews has consulted Earthwatch directors before finalising his programme.

Tourists taking part in the dozen projects available this year will fly to the area and move into a specially-prepared camp. There they will meet scientists and local people engaged in the schemes to be briefed before going to work themselves.

In the Congo, for example, tourists will help to survey the plants and animals, including wild chimpanzees within the new reserve set up by the Jane Goodall Institute as well as helping to care for and feed orphaned baby chimps.

Matthews also promises "jolly outings" to see local sites and people — as well as some less jolly ones to witness the impact of indiscriminate logging. The aim of one project, in British Columbia, Canada, is to gather enough detail about plants and animals, including brown

bears, to convince government agencies that the area needs protection from mining and logging schemes.

Tourists joining the Rivers Canada project will travel down the Taku River on whitewater rafts to establish daily base camps as a springboard for photographing the scenery, surveying the wildlife and studying native American sites along the riverbank.

The Congo programme costs £2,895 a person and is available on three dates in July and August; the Canada project costs £3,985 in September; the Russian tigers project £3,575, and some schemes are available for less than £2,000. Most of them last a fortnight.

Meanwhile, Earthwatch is going from strength to strength and will announce later this month details of a £1 million funding from the Millennium Commission. The money will provide fellowships to 500 teachers and education officers to join Earthwatch projects.

Discovery Initiatives: 0171-229 9881; Earthwatch: 01865 311600.



A monthly column from the security and detection agency

LOW RISK

For the second year in a row, police in Costa Rica have been assigned to patrol beaches in "Operation Safe Summer". Over recent months farmers, seamen, public servants and professional people have all launched strikes and street protests in Greece. If the austerity measures caused by the country's drive to meet EU economic requirements continue, general strike action is predicted, particularly in Athens.

MODERATE RISK

Economic meltdown in Bulgaria finally brought demonstrators on to the streets of Sofia in January. As the embattled Socialist Government has rejected early elections, more protests are certain. The increasing wave of Volkswagen "Bug" taxi passenger assaults and robberies have forced the police in Mexico City to intensify operations in tourist zones, hotels, restaurants and the airport. At least three well-armed insurgent groups are active in Uganda. Insurgent activity occurs in the area of Marshal Feroz National Park, north of the Nile. Travel is also risky in the southwestern corner of Uganda near the Zaire and Rwanda borders.

HIGH RISK

Most international aid agencies have abandoned eastern Zaire after government forces, backed by European mercenaries, launched a counter-offensive against Tutsi rebels.

EXTREME RISK

More than 200 people have been killed in a campaign by Islamic extremists in Algeria which has included car bombs in crowded metropolitan areas and the slaughter of villagers in the countryside. Outbreaks of violence between ethnic Serbs, Muslims and Croats threaten a shaky peace in Bosnia-Herzegovina. Pinkerton 0181-424 8884

AN EXCLUSIVE READER OFFER THE TIMES

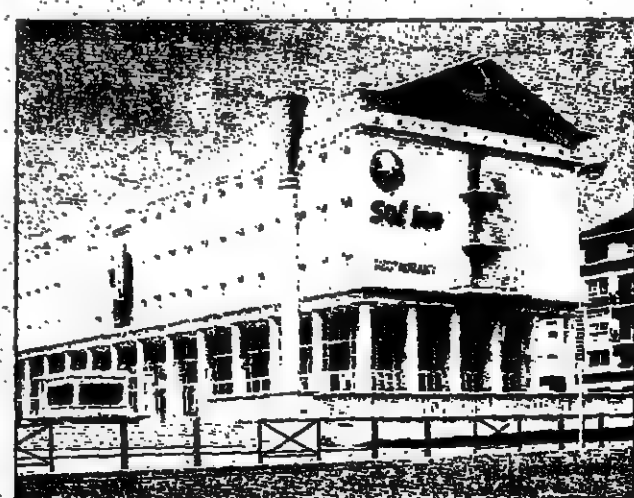
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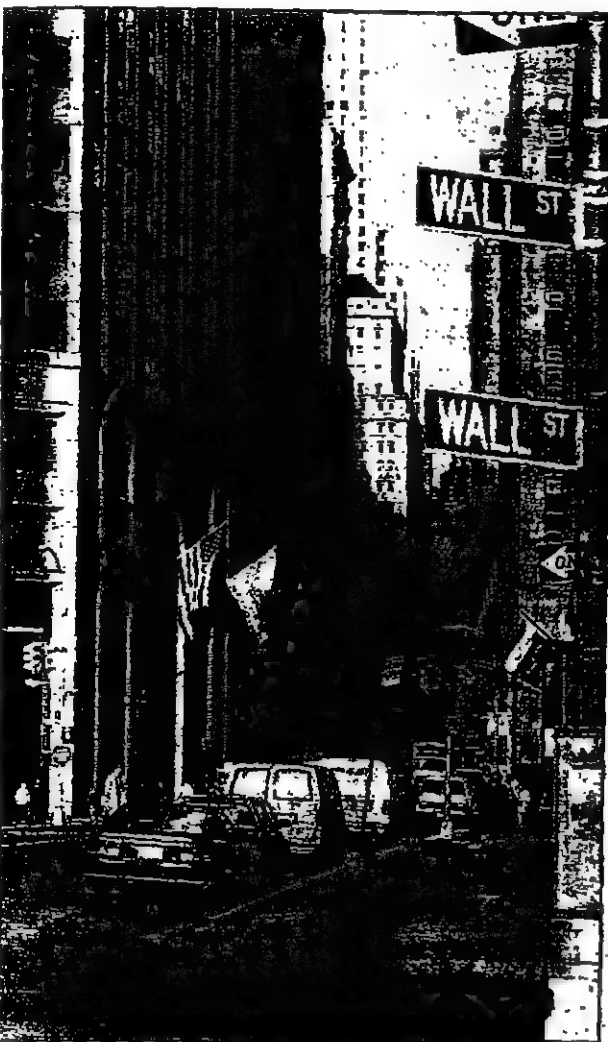
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BUSINESS EDITOR Lindsay Cook

THURSDAY FEBRUARY 6 1997

Morgan Stanley and Dean Witter, Discover in \$21bn deal

Wall Street banks to merge



The deal sent the banks' shares up on Wall Street

MORGAN Stanley and Dean Witter, Discover are to merge to create the world's largest international investment bank with a market capitalisation of about \$21 billion.

The deal, unveiled in New York yesterday, caught rivals and analysts on both sides of the Atlantic on the hop. The merger is by far the largest between two investment banks, creating an organisation that will easily surpass Merrill Lynch, until now the largest in the US.

Morgan Stanley has a market capitalisation of \$8.8 billion and made profits of \$1.6 billion last year, while Dean Witter is capitalised at \$13

billion with reported profits of \$952 million. The move ends Morgan Stanley's long search for a merger partner that almost ended in a deal with SG Warburg, the British merchant bank, in 1995 before the US bank pulled out at the last moment over fears of large-scale redundancies.

John Mack, head of Morgan Stanley, will be president of the combined company. He said that he had been talking about a merger with Dean Witter for three years.

Philip Purcell, head of Dean Witter, will be chairman and chief executive of the combined company. He said the merger was driven by the need

FROM RICHARD THOMSON IN NEW YORK

for consolidation in the global finance industry where size and market share have become essential for success. It would also combine two of the world's best known financial brand names. He said that although there would be some cost cutting, it was not the main reason for the merger.

The merged company will be the investment banking leader in international mergers and acquisitions, international and US new share issues, asset management and a range of other businesses.

Analysts said the deal was likely to trigger a wave of copycat mergers among investment banks that believe

only the largest will survive in the increasingly global and competitive finance industry.

News of the deal sent shares in both banks soaring on the New York stock market, with Morgan Stanley rising \$7.75 to around \$65 and Dean Witter's by \$1.80 to \$40.50. Under the merger terms, Dean Witter will swap 1.645 shares for every Morgan Stanley share, giving its shareholders a 55 per cent stake in the new group.

To discourage disruptive counter-bids, both the companies have given each other share options to buy 19.9 per cent of the other. The combined firm will be called,

Morgan Stanley, Dean Witter, Discover & Co.

The merger, which is expected to be completed by the middle of this year, is remarkable in putting together two radically different kinds of US investment bank.

Dean Witter's main business is selling stocks, bonds, savings products and credit cards to millions of retail investors, while Morgan Stanley concentrates on wholesale markets. Until 1993 the bank was owned by Sears, Roebuck & Co, the US department store. Morgan Stanley was looking for ways to stabilise its often volatile earnings from wholesale financial markets by moving into more stable businesses, particularly in retail markets.

Among Dean Witter's most successful products is its Discover card, which is the third largest credit and charge card in the US with 39 million customers and outstanding balances of \$34.4 billion.

Dean Witter, which has funds under management of \$90 billion, will also give Morgan Stanley greater distribution power for its own asset management division which, since its purchase of Van Kampen last year, looks after funds of \$171 billion. The merged bank will have \$270 billion in managed funds.

Walker hails new opportunities

By ROBERT MILLER, BANKING CORRESPONDENT

SIR David Walker, head of Morgan Stanley's European operations, last night hailed the merger with Dean Witter, Discover as "very exciting" and one that provided great new business opportunities in mainland Europe and Asia.

Sir David also said that US investors had an enormous appetite for high quality UK and European share issues and other equity and bond-based products. These will now be sold through the vast network of branches and out-

lets that the newly merged Morgan Stanley, Dean Witter, Discover operation could provide. Dean Witter has a small presence in London and Sir David added: "We will eventually look for cost savings, but these will not be a significant feature."

The merger is also expected to lead to a rearing of the enlarged group's stock. Sir David said the enhanced earnings from the merger would also help the European operation to plan much fur-

ther ahead in making investments in countries such as Germany. "With a more stable earnings flow, we will be able to develop long-term relationships on the ground. In the past the earnings from typical investment banking operations, such as the securities business, have tended to be rather volatile."

Above all, yesterday's deal gives Morgan Stanley a head-start on its rivals in making inroads into the lucrative European and Asian markets.



Walker: "very exciting"

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ScotAm puts itself up for sale as Pru tops Abbey bid

By MARIANNE CURPSEY, INSURANCE CORRESPONDENT

SCOTTISH AMICABLE put itself up for sale yesterday after Prudential Corporation began what is expected to be a fierce bidding war with Abbey National for the life insurer by taking a £1.2 billion offer.

The bid came just hours before Scottish Amicable was to have begun mailing a circular to 1.1 million policyholders. This would have recommended that policyholders accept the demutualisation and flotation plans proposed by Scottish Amicable's board a fortnight ago.

Abbey National hinted yesterday that it was prepared to increase its initial £1.1 billion to £1.4 billion offer. It said its £400 million cash or shares goodwill payment, had always been "a minimum".

Scottish Amicable has appointed SBC Warburg to seek competitive offers over the next fortnight.

Prudential is offering £400 million in cash or Prudential shares to policyholders. In addition, it plans to pay £1.1 billion into Scottish Amicable's with-profits life fund and then close it down.

It guarantees to pay policyholders £150 million of special bonuses from cost savings made in the life fund as soon as the deal is completed, plus a further £250 million from the fund over time, depending on

performance. The latter sum is not guaranteed. Prudential will invest around £250 million of shareholders' funds to acquire the Scottish Amicable name and business.

Sir Peter Davis, group chief executive of Prudential, said: "This is a firm offer. Whether it is the final offer depends on the information made available to us by Scottish Amicable."

He gave no guarantee on the future of Scottish Amicable's management team or its employees, but said he wanted "to keep the Scottish Amicable name and a significant presence in Scotland and run that

alongside the existing operations in England." Prudential shareholders will get 10 per cent of all bonuses paid on new business, which will be written in Prudential, and not Scottish Amicable life funds.

Prudential said the £1.1 billion capital injection paid from Prudential's life fund would "permit greater investment flexibility and the generation of higher returns."

Prudential has been working on a bid for Scottish Amicable for over a year and is believed to have already made at least one approach. The deal should give Prudential exposure to new business sold through independent financial advisers.

Scottish Amicable's chairman, Sandy Stewart, said the board had ruled out increasing its own terms to policyholders. "The board will now seek competing definitive offers from other parties, including Abbey National. If the offers materialise as we expect them to do it is unlikely that we will remain independent."

Abbey National sent a second letter to Scottish Amicable yesterday reiterating its offer. Charles Toner, deputy chief executive of Abbey, said: "We remain confident that our offer will be very attractive."



Davis: firm offer

Pennington, page 25

M&S plan to open branches in Gulf

By SARAH CUNNINGHAM

THE Gulf arab women who flock to Marks & Spencer's Oxford Street branches in London will soon be able to buy the same goods nearer to home.

The company has revealed plans to open its first branch in the Gulf later this year. Under a franchise agreement with a local partner, the Dubai-based Al-Futtaim Sons, a branch will be opened in either the United Arab Emirates, Kuwait, Bahrain, Qatar or Oman. It will be the first step by Marks & Spencer, which has close ties with Israel, into the arab world.

Other branches in these countries are set to follow. The agreement with Al-Futtaim Sons does not cover Saudi Arabia, where Marks & Spencer is also eager to expand. It may seek a separate partner for that country.

Kith Oates, deputy chairman, said that opening in the Gulf is "an important strategic step in our goal to be one of the leading global volume retailers". Mr Oates added: "Sales trends at recently opened stores in Cologne, Bordeaux and Prague have shown growing worldwide demand for our merchandise."

Marks & Spencer expects to appeal both to the expatriate Britons working in the Gulf and to locals.

Markets at record levels as rates stay the same

By JANET BUSH, ECONOMICS EDITOR

BRITISH and American interest rates were left unchanged yesterday, confirming a sense of financial market optimism that sent European stock markets to close at record levels and the dollar to a four-year high against the yen.

After Kenneth Clarke, the Chancellor, met Eddie George, Governor of the Bank of England, yesterday morning, the Bank signalled no change to rates during its monetary market operations and is not expected to signal any change today. The two-day meeting of the Federal Open Market Committee also ended with no change in US rates.

British base rates stay at 6 per cent while, in America, Fed Funds remain at 5.25 per cent. Decisions to leave rates unchanged were widely expected in both cases. Currency strength probably helped to tip the balance against higher rates. After January's monetary meeting only three weeks ago, Mr Clarke cited sterling as a very deflationary force, and yesterday, Wayne Angell, a former Federal Reserve Governor, predicted that it was unlikely that the Fed would raise rates while the dollar was rising so strongly.

Both currencies were star performers yesterday. Sterling recorded its highest level against the yen since October 1992 and gained more than three pence against the mark to close at DM2.6905. It also climbed more than a cent against the dollar. The dollar climbed to DM1.6473 and

Y123.50 in late European trade, up from DM1.6424 and Y122.30 late on Tuesday. In London, the FT-SE 100 index closed 20.6 points higher at 4,281.5, a record finish.

Shares in Frankfurt and Paris also closed at new peaks on hopes that American interest rates would not be raised.

Pennington, page 25

BT to take key stake in digital venture

By ERIC ROGOY

BRITISH TELECOM is set to be the largest shareholder of the £600 million company that will help to finance the introduction of digital TV in Britain.

The Interactive Services Company, or Isco, is being formed to subsidise the retail price of the digital set-top boxes to be ordered by BSkyB, the satellite broadcaster. In exchange, Isco's investors - BSkyB, BT, Midland Bank and Matsushita, the Japanese electronics company - are to share in the income generated by the interactive services made possible by the boxes. BSkyB, which is 40

per cent owned by News International, owner of The Times, and the three other investors expect to reach agreement on Isco's final structure within a few weeks. Their combined investment will probably be no less than £500 million and as high as £700 million.

The money will allow the set-top boxes to retail in chains, such as Comet and Dixons, for about £200, against a factory price of £300 or so. BSkyB fears that a price that high would ensure that few subscribers would switch from analogue to the digital service. BT said yesterday that it will soon order as many as a million set-top

boxes, allowing it to launch its digital network, with as many as 200 channels, before the end of the year.

Rupert Gavin, BT's multimedia director, would not comment on the negotiations. BT presumably would profit from Isco by supplying the phone connections that would allow the subscribers to communicate with the providers of the home banking and home shopping services.

Midland, which has confirmed that it is in talks to join Isco, will probably provide the home banking service. It has been negotiating with BSkyB since November, when Barclays pulled out

of the venture. The HSBC group, Midland's owner, has a keen interest in interactive services. Last year, HSBC signed an agreement to link its Hexagon electronic banking service for personal computers to Microsoft's Money-for-Windows software.

Matsushita, owner of Panasonic, is one of the four electronics companies vying for the BSkyB set-top box order. Others contenders are thought to include Philips, of The Netherlands, Pace Micro Technology, of Britain, Sony, of Japan, and Nokia, of Sweden.

BSkyB set to order, page 25

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IDS hails public sector pay policy

By Philip Bassett
INDUSTRIAL EDITOR

THE Government's public sector pay policy is proclaimed a success by Britain's leading independent pay analysts as the Cabinet today meets to approve staged wage rises for key public sector employees.

Income Data Services (IDS), the independent pay analysts, today says that the policy of a pay bill freeze for the last three years, drawn directly from suggestions by the CBI and following a strict 1.5 per cent pay limit, has been "running very successfully from the Government's point of view".

When different stages of the policy were announced, some trade union leaders gave warning of strike action, but IDS notes that the policy "has met with very little effective trade union resistance".

In its latest annual public services pay review, IDS says that the Government's policy "has resulted in lower pay settlements than in much of the private sector" in areas such as local government, health and education.

IDS says that in the third year of the pay bill freeze, there has been greater diversity in pay settlements, with deals running at between 2.5 and 4 per cent.

Investors give ultimatum to Premier Farnell chief

By Jason Nisse

LEADING institutional shareholders have told Howard Poulson, chief executive of Premier Farnell, he has six months to prove that the £1.8 billion purchase of Premier in the US can work or face being forced out of the company.

The message was delivered after a series of institutional meetings in the wake of last week's profits warning from Premier Farnell, which has knocked more than £500 million off its market value. Mr Poulson was in America on

Wednesday last week when Andrew Fisher, the finance director, visited the company's stockbroker, adviser, Barclays de Zoete Wedd, for the first of a series of analysts' briefings before the company's January 31 year-end.

The news was so bad that BZW, which previously had said Premier Farnell did not have to issue a profit warning, changed its mind. Other meetings were cancelled and the company issued a warning statement two minutes before the market closed.

Since then it has been

meeting its leading investors — led by Scottish Widows, which recently increased its holding above 5 per cent, and Mercury Asset Management.

It was told the company had to deliver within six months the increased sales it predicted last year when it merged the Farnell and Premier electronic component supply businesses.

Otherwise, shareholders would push for management changes, which could include the removal of Mr Poulson.

One senior investor said: "This incident has raised major questions about the strength and depth of the group's management. The next six months are an important period where the company has to prove that the initiatives it is putting in place, which it says are sensible, can actually be proved to be sensible."

Among these moves are the appointment of Malcolm Bates, the former deputy managing director of GEC, as chairman; the merger of the Premier and Farnell catalogues; and the strengthening of the marketing team.

The first clear sign of any improvement should be seen

in the group's half-year results, due in October.

Shareholders are already questioning whether Mr Bates might be the best person as chairman, having had no direct experience at the top of the quoted company. They also criticised Premier Farnell's communication with the City, which led to a public outburst by Mr Poulson attacking BZW for its handling of the profits warning.

Mr Poulson is now working at rebuilding his reputation in the City and was unavailable for comment at the Wetherby head office yesterday.

Actress beats ex-Chancellor in ad stakes

M&G's advertising agency paid Lord Lawson of Blaby, the former Chancellor, less than £100,000 for his appearance in the company's new TV campaign for Peps, considerably less than it paid Helen Mirren, the actress (Gavin Lumsden writes).

Rainey Kelly Campbell & Rolfe paid Ms Mirren £300,000 for her role in Virgin Airline's TV adverts. Virgin Direct, the group's financial services arm, is a competitor to M&G in the Peps market. M&G's two 30-second adverts will be broadcast next week. Lord Lawson introduced Peps in 1987. *Tempus, page 26*



Lord Lawson endorses Peps being sold by M&G in the 30-second TV advert

Which? berates utilities on cut-offs

By Christine Buckley
INDUSTRIAL CORRESPONDENT

UTILITIES are heavy-handed with debt collection and are too quick to cut off customers, according to a report by Which?, the consumer guide.

Electricity companies forced their way into more than 25,000 homes last year, while British Gas disconnected more customers in 1995 than all of the electricity companies. British Gas, however, is, for safety reasons, less able to install pre-payment meters than electricity companies.

The consumer guide, which urges tougher action from the regulators on monitoring companies' debt collection, says too little is being done to help those in the debt trap. Which? also berates regulators for not ensuring greater consistency in disconnections and debt recovery.

BT heads the disconnection table, having cut off 796,980 customers in the year to June 30, 1996. London Electricity forced its way into more than 14,000 homes last year to install pre-payment meters — nearly 1 per cent of all its customers.

Which? said: "The regulators must tighten up on companies that adopt bad practice."

Feeling the pressure, page 27

Judges likely to rule today whether SFO in contempt

By Robert Miller, Banking Correspondent

TWO High Court judges are today expected to give a ruling on whether the director of the Serious Fraud Office and four of his senior colleagues are guilty of contempt of court over their handling of an investigation into the \$1.8 billion Sunbroom copper fraud.

After hearing evidence for the second day about an SFO raid on Kay Accounting last December, Lord Justice Staughton, sitting with Mr Justice Scott Baker, indicated

that he could give a verdict on the contempt charge today.

George Staple, the SFO director, Andrew Jackson and Chris Walker, both fraud office lawyers, and Michael Hainey, a computer expert, and Anne Dilks, a financial investigator have all been named in the contempt proceedings. The case was brought after the SFO raided the offices of Kay Accounting in Radlett, Hertfordshire, and removed documents, comput-

ers and related material. The company applied for, and was granted, a court injunction to stop the downloading of computer-held information pending a full hearing. The court heard that the SFO continued to download information for some six hours after the injunction was issued. Edwin Glasgow, QC, for the SFO, said the office had tried to comply with the court injunctions as swiftly as possible.

Buy-in consortium wins rail franchise

By Jonathan Prynn, Transport Correspondent

THE franchise for North West Regional Railways, a loss-making commuter train company operating services in and around Manchester, Liverpool, West Yorkshire and North Wales, has been sold to a management buy-in.

The franchise was awarded to a consortium comprising the management and employees of Great Western Trains, which already has an InterCity franchise, FirstBus and 31 Great Western will have a controlling 51 per cent

share. The consortium, known as Great Western Holdings (GWH), has pledged to provide extra local services and new long distance services to London. It will spend £15 million on refurbishing existing trains, £5 million on improving stations and £1 million a year on additional security measures.

Under BR the franchise requires subsidy of about £185 million. GWH will get average subsidy of £148.3 million over seven years.

New regulations to fight money scams

NEW regulations aimed at stamping out fraudulent "money circulation" schemes come into force today. They affect not only the organisers of such schemes but anyone who joins and tries to persuade other people to take part will also be committing a criminal offence. Money circulation schemes, where people pay a joining fee — sometimes thousands of pounds — and then receive payments from the people they recruit, usually fail when recruitment dries up, with those last in most likely to be the losers.

One supposed money-making venture known as Titan was shut down by the Government last year, and it was estimated that investors lost up to £17 million. The Trading Schemes Act brings money circulation schemes under the control of the Fair Trading Act, said the Department of Trade and Industry. Until now, the DTI had to use time-consuming Companies Act legislation. There is now a penalty of up to two years in prison.

RJB in new buyback

RJB MINING, the largest coal producer in the UK, yesterday spent £31.5 million to buy back 5 per cent of its shares. The repurchase, totalling 8.5 million shares at a price of 370p, took the company to the limit of its authority to buy back shares in the current financial year. Since last August it has spent £125.5 million on share repurchases. Companies are allowed to repurchase up to 15 per cent of their shares each year.

Pension redress nearer

THE pensions industry is making progress in its efforts to compensate workers set to suffer financial loss after leaving the Government's earnings-related pension scheme, according to a report by the Securities and Investments Board (SIB), the City's senior watchdog. But several pension providers have yet to give a detailed commitment, raising fears of delays, according to the progress report which was originally due to be published last autumn. *Pennington, page 25*

Gulf holding at 5.56%

GULF CANADA, which is fighting to take over Clyde Petroleum, yesterday claimed to speak for 5.56 per cent of the shares in the target company. On Tuesday Gulf raised its cash offer by 15p to 120p per share, valuing the UK oil exploration and production group at £494.6 million. Yesterday Gulf said it had bought 3.76 per cent since launching its bid to bring its holding, including acceptances, to about 5.56 per cent. So far Clyde has resolutely resisted the approach from the Canadian oil company.

Sony's record forecast

SONY CORP, the Japanese consumer electronics giant, yesterday promised a sharp rise in profits, powered by strong sales of electronic goods and a weak yen. Sony now expects record annual group net profit of 132 billion yen (about £656 million), nearly 2.5 times the net profit in the 1995-96 financial year, on sales of 5.5 trillion yen. Yesterday Sony reported quarterly net profits of 75.38 billion yen and sales of 1.67 trillion yen.

Mattel inches ahead

MATTEL, the largest toymaker in America, said fourth-quarter earnings rose only 1 per cent, weighed down by its refund offer for the Cabbage Patch Kids' Soaktime Kids doll and a special accounting charge. Mattel earned \$113.5 million in the fourth quarter, compared with \$112 million. Earnings for the year were \$379 million, up from \$357 million. Separately, Tyco Toys Inc had reduced fourth quarter losses, because of the popularity of the Tickle Me Elmo doll during Christmas.

Water dispute escalates

NORTH WEST WATER, half of United Utilities, is suing its main computer database supplier after a protracted row between the two sides. The system to manage the water supply was supposed to begin working in 1995 after Oracle had started the project a year earlier. But in the autumn of that year it was halted and the two sides blame each other for its failure. The provider has said that specifications changed since the start of the contract.

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BSkyB boxes

SIEMENS NIXDORF



□ Threat from Dean Witter and Morgan merger □ Watchdog's subtle approach to pensions □ Pru's hat in the ring

Marriage of brain and brawn

WHY do so many American investment banks have names that suggest Hollywood film or soap stars? Dean Witter is surely the honest but rough-edged hero, dressed in a plaid shirt no doubt, an oil man or a farmer; Morgan Stanley, note the androgynous forename, the Barbie-haired vamp who leads him astray until the last reel.

While most of America was transfixed by the latest O.J. Simpson drama, this surprise soap opera wedding was absorbing the financial markets. It is as if Schroders had taken up with the Share Shop, except on a scale a hundred times greater. Dean Witter is the name in retail banking, the Shares 'R' Us with, on average, seven branches in each state even if the retail base is a little more downmarket.

Morgan Stanley has come a long way since it refused to employ Jews, and the only blacks were shining shoes in the lobby. Now it ranks number one in the world market for mergers and acquisitions advice, and you don't get there by being snuffy about whom you employ.

The idea is that Morgan's brainpower and fund management skills are allied to Dean Witter's retail reach. This creates

a bigger rival for the only American house to have built pre-eminence in both areas, Merrill Lynch. The scope for expansion is into areas of the world where there is untapped demand for equity finance.

The deal might seem to favour Morgan more than Dean Witter, in that it lessens the former's reliance on investment banking, where earnings are inevitably tied to volatile M&A activity. It is also, plainly, an alternative to Morgan's planned hook-up with our own dear Warburg, now swallowed by SBC.

This last merger suggests just where the new American alliance could go wrong, the old problem of culture clash. Warburg's people left in droves because they did not like the rather racy Swiss Bank culture. Likewise the 1980s creation of Shearson Lehman, which fell apart by the end of the decade.

In Morgan/Dean Witter's favour is the fact that both are such different beasts. But you do not

create an integrated business by injecting a small amount of banking brain into a financial behemoth.

If it does work, we had all better watch out, in London as on Wall Street. If and when stock markets turn, the shake-out in financial circles could be horrendous, and the race will be to the bigger runners. Why else should boutiques such as Hambro Magan and Phoenix Securities have decided to throw their hands in with the big battalions?

SIBology, and other sciences

IN THE days of the old Soviet Union, the need to decipher the nuances of political life led to the foundation of a modern science: Kremlinology. If Krushchev parted his hair on a different side, canny Kremlinologists would be able to deduce who was in and out of favour.

Yesterday saw the birth of a

similar science at the Securities and Investments Board. The City's most senior watchdog was unveiling its survey of progress in aiding victims of the pensions upheavals of the Eighties.

No, not the mis-selling scandal again. The SIB was checking on the fortunes of people who contracted out of Schemes, the Government's earnings-related pension scheme. In the 1980s, millions were persuaded by financial inducements to transfer their contributions to a personal pension.

Up to 238,000 people may be worse off as a result. In a report

last May, the SIB said that charges levied by pension providers were a big factor in these losses. Many life insurers promised to change their ways. As an incentive, the SIB said it would check on progress in another report.

This status report turned out to be an astonishingly anodyne document, concluding that "steps are being taken to mitigate problems". No sign of any real regulatory displeasure.

But what was that? A flutter of the eyebrow of chief executive Andrew Winckler? A discreet, Jeeves-like cough? Indeed, sir. Conscious of the fact that it has no control of charges levied by pension providers, the SIB is resorting to regulation by a nudge and a wink, part of a general strategy to find more effective measures than firing.

It turns out several companies are dragging their heels. SIBologists, aware of the new approach, were presented with enough information in the report

to spot regulatory impatience beneath the placid surface. Prevarications from life companies who are "conducting a review" of the situation, without any timetable commitment to actually completing it, were reported verbatim. Just for the record, mind. Wink, wink.

Winners and losers in ScotAm battle

A MILLION trees can breathe again. Scottish Amicable has bowed to the inevitable and is pulling the 80-page document that was to have gone out at the weekend to its 1.1 million members. Instead it is a straight bidding war for the insurer, all sensible prices considered, please, as long as they are higher than the £1.9 billion the Prudential is offering.

The first might come from the Abbey itself, whose play for ScotAm was always a sighting shot. The Pru's approach is a

clever one, mixing an immediate payment with additional bonuses added to policies and putting a firm £1.1 billion price on the life fund. The policyholders will be the winners. The ScotAm board, given the different cultures that prevail in the two organisations, will be the losers. Unlike the Abbey, the Pru is making no promises to them.

Signal failure

THE money markets are one of those arcane crannies of the City that outsiders never really understand. Time was when a gentleman in a top hat from the Bank of England did the rounds of the money brokers; nowadays it is all done on screens. But the twice or thrice-daily ritual is still adhered to, and this is how we all know what we will be paying in future for our mortgages and bank loans. Except that yesterday we didn't; technical reasons and tradition meant that rates could rise today, but most likely they will not. The signal from the Bank stayed stuck on amber. There must be a better way of signalling the country's main economic indicator. Perhaps a puff of grey smoke from Threadneedle Street?

BSkyB to order 1m set-top boxes as profits rise 26%

By ERIC REGULY

BSKYB, the satellite broadcaster, confirmed yesterday that it will order as many as a million set-top boxes, costing £500 million or more, for its digital television launch in the autumn. The company's plans to enter the German digital-TV market, however, have run into obstacles.

The announcements came as BSKYB reported a 26 per cent rise in pre-tax profits, to £134 million, in the half-year to December 31. It also reported the recruitment of a record 434,000 new subscribers in the final quarter. BSKYB, which is 40 per cent owned by News International, owner of *The Times*, now has about six million subscribers in the UK

and the Irish Republic. The company said the set-top box order was "imminent" and that it was in negotiations with four potential manufacturers. It would not identify them, but they are thought to include Matsushita, the Japanese owner of the Panasonic brand, and Pace Micro Technology, the British set-top box maker.

Sarah Chisholm, chief executive, said the boxes, with the addition of a relatively inexpensive electronic "sidecar", will be compatible with the digital terrestrial transmissions that are to begin next year. Carlton and Granada, the ITV companies, and BSKYB formed a company last week called British Digital



Chisholm: keeping analogue

Broadcasting to bid for the terrestrial licences.

Mr Chisholm said that BSKYB will continue to offer analogue services for "five

years, maybe more", noting that analogue systems are "the cheapest way" for new subscribers to take satellite TV.

In Germany, BSKYB is in negotiations to buy 49 per cent of DFL, the digital-TV company controlled by Kirch, the media group. DFL has not gained as many subscribers as expected and analysts said that it needed a marketing agreement or merger with Premiere, a German pay-TV service that is one-quarter owned by Kirch, to boost its fortunes.

Mr Chisholm said: "There are some important issues that need to be resolved, and until they're resolved, we won't proceed... If we don't proceed, there will be no cost involved to Sky."

Analysts still expect BSKYB to strike an agreement with Kirch and Premiere because Germany has the potential to become Europe's largest pay-TV market.

BSKYB's interim earnings per share were 7.1p, compared with 5.6p, on turnover that rose 26 per cent to £385.6 million. Higher subscription revenue was behind the stronger figures. Revenue from cable customers rose 62 per cent, to £83.1 million, reflecting the continued expansion of the cable network. Revenue from the direct-to-home subscribers was up 21 per cent to £410 million.

An interim dividend of 2.75p, up 10 per cent, is to be paid on April 4. The shares closed at 623p, up 30p.

Euro Disney finance chief to depart

EURO DISNEY, operator of the Disney theme park near Paris, announced yesterday that Xavier de Metzrac, its finance director, is to leave after two and a half years (Sarah Cunningham writes).

His decision follows the company's decision to hive off his responsibilities for information technology and purchasing, a spokesman said. M de Metzrac is expected to become finance director of another leading French company.

Gilles Prélisson, president of Euro Disney, will temporarily oversee financial matters. M de Metzrac took over as finance director in August 1994 after Michael Montgomery, who oversaw much of Euro Disney's refinancing, left.

Triplex bows out of Cook bid battle

By FRASER NELSON

TRIPLEX LLOYD, the specialist engineering company, has abandoned its £72.5 million bid for rival William Cook, ending the bitterly fought takeover battle.

Graham Lockyer, Triplex's chief executive, said the company was faced with either walking away from the bid, or delivering a knockout blow significantly above the £79.5 million buyout bid tabled by Cook's management team.

He said: "We could not afford to keep going back with a higher offer - if we were going to make a bid, it would have to be a decisive one. In the end, we decided we could not put something together with sufficient security."

Andrew Cook, chairman of William Cook, said: "I have said all along that persistence

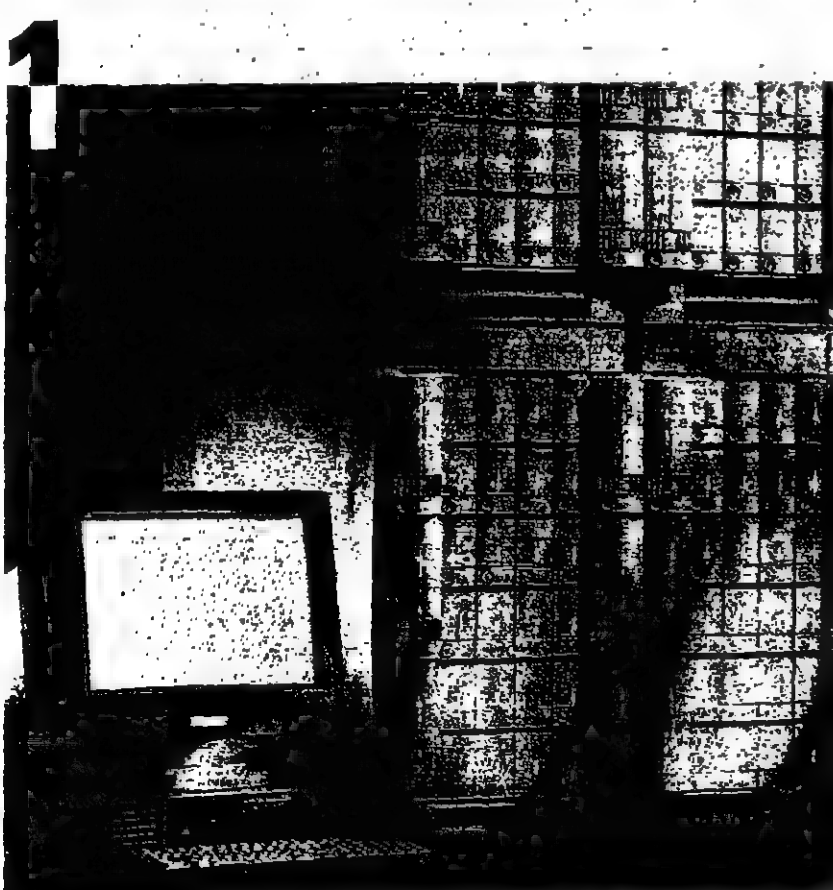
and determination alone are omnipotent. This is the best result for everyone concerned."

Mr Cook, whose great grandfather founded the company 92 years ago, now has a clear run to buy the firm back from the market. He is putting £2.5 million of his own money into the bid, which will lift his stake from 4 to 14 per cent.

Under terms imposed by Electra Fleming, the venture capital group putting £38 million into the buyout, Mr Cook's salary will fall from £500,000 to £200,000 a year, and the length of his contract will drop from five years to two.

Triplex said its decision to retreat was not connected with the public rebuke it suffered from the Takeover Panel, over leaking information during the bid.

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Limited liability inquiry

Senator Pierre Hordfall, president of Jersey's most powerful government body, the Policy and Resources Committee, and Colin Powell, chief adviser to the States of Jersey, are among witnesses called to give evidence before a public inquiry examining the way in which the island's controversial limited liability partnerships law was prepared. The hearings start on February 17.

Jersey's limited liability partnerships law — first of its kind in Europe — received the approval of the Privy Council in December and should come into force in late spring. Parliamentary debates have at times been "fast-tracked" through the island's legislative process.

Angerstein up

Angerstein Underwriting Trust said yesterday it now owns, advises or manages about £940 million of underwriting capacity at the Lloyd's of London insurance market, representing 9.1 per cent of the total market for the 1997 underwriting year. The interim dividend for the half year to November 31 is increased to 1.2p (1.1p). Net revenue rose to £1.94 million (£1.65 million).

Welsh aid

Wales is to receive £11.5 million from the European Regional Development Fund to establish industrial premises, support small businesses and develop community enterprises. Among the 71 projects to benefit are a technology centre in Cardiff Bay and economic regeneration and job creation programmes in Pembrokeshire.

Trifast buys

Trifast, the UK industrial fasteners group, has expanded its operations in Singapore with the £1.96 million acquisition of Formac Technologies, a manufacturer of stainless steel screws. In the 15 months to the end of December 1996 the business earned pre-tax profits of \$523,000 (about £104,000).



Eurocamp profits were flat as bookings fell 25 per cent for Robert Baddeley, finance director, left, and Richard Atkinson

Eurocamp held back by sterling

A DECLINE in the popularity of France as a camping destination held back profits at Eurocamp, the holiday company, which yesterday blamed the weakness of the pound in 1996 for its flat results last year (Financial Times).

The company, which generates three quarters of its business from British campers in France, said bookings fell by 25 per cent in the year to October 31.

Richard Atkinson, chief executive, said France suffered in 1996 as customers returned with memories of low purchasing power. He said the recovery of sterling should now restore France's reputation. Eurocamp is now spreading its locations more evenly across Italy and central Europe.

Overall, pre-tax profits were flat at £9.27 million (£9.25 million). A final dividend of 7.25p, due to be paid on April 18, maintains the total at 11p.

Jacobs Holdings makes £34m agreed bid for Ropner

By SARAH CUNNINGHAM

JACOBS HOLDINGS, the shipping and property group headed by Michael Kingshott, has made a £33.7 million agreed cash and shares bid for Ropner, a rival.

Jacobs also disclosed yesterday that it had bought for £16 million the Dartford International Ferry Terminal (DIFT), which owns the freehold of Thames Europort at Dartford that Jacobs already operates.

Ropner and Jacobs have

been negotiating terms since November when a hostile all-share bid by Jacobs was rejected by Ropner. Jacobs already owns a near 10 per cent stake in Ropner.

The new offer is of three new Jacobs shares and 302.75p in cash for every four Ropner shares. There is a partial cash alternative worth 141.3p a share.

A placing and open offer of 11.04 million Jacobs shares at

84p each will partly fund the acquisition and provide extra working capital.

Mr Kingshott said that the companies' shipping and property operations had clear areas of overlap, while Ropner's engineering business was likely to need some investment and might be sold.

To buy DIFT Jacobs will pay £6.4 million in cash to Blue Circle Industries. It will also guarantee the repayment

by DIFT of a £9.6 million loan from the seller, £600,000 of which will be repaid immediately after completion. The remaining £9 million will be repaid within five years.

Jacobs is already the operator of DIFT's Thames Europort and runs a ferry service to and from Vlissingen in The Netherlands through Dart Line.

Europort is underused at present, but Jacobs said that it

was in talks with potential customers. Earlier this week, Jacobs announced that Dart would launch a twice daily service from Dartford to Zeebrugge in Belgium. The service will be used mainly by trailer traffic and containers.

Jacobs said that trading in the last six months of 1996 was satisfactory in the transport and property divisions.

Its shipping division continued to underperform partly because one of its ferries on the Dartford to Vlissingen route was arrested and also because of competition from Eurolink, a ferry service operated by a Mersey Docks and Harbour subsidiary.

However, revenue from Dart Line has risen in the first few weeks of 1997 after the closure of Eurolink in December and the settlement of compensation with the previous charter of the arrested ship.

The acquisitions will leave Jacobs with £53 million of net assets and £40 million of debt.

Times, page 26

Offer acts to protect competition

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

CONTINGENCY plans to prop up competition in household electricity should power companies fail to set up efficient computer networks have been drafted by Offer, the industry watchdog.

The move, revealed by Stephen Littlechild, the regulator, to the Trade and Industry Committee, comes amid concern that competition —

scheduled for April next year — will be delayed.

Instead of sophisticated cross trading between companies through interconnecting computer systems, paper bills will be substituted. These would not affect final customers but would function between electricity suppliers and the distribution companies. Distribution, and at

present supply, is controlled by regional electricity companies.

Professor Littlechild said the contingency measures had been developed after companies said the plan to enable households to shop around for electricity would not work. A number of companies, privately and publicly, have challenged the way com-

petition is being developed and the cost of setting up the system to enable 25 million households to switch supplier. Offer could not say how many customers a paper-trading system could support.

Professor Littlechild told the committee that the cost could be revised. At present he has calculated it at £210 million over five years.

Tax threat for joint ventures

David Cruickshank calls for a rethink on a tax rule that may threaten commercial investment

LAST May's decision by the Court of Appeal in the case of *Steel v EVC International* will have a severe effect on the earnings of joint ventures, and swift action is required to prevent further damage.

Where two or more companies set up a joint venture they do not usually want to be in partnership. Instead, they form a company and own the shares between them. This is a consortium for tax purposes, so that when the company makes a loss, the loss can be relieved against the profits of the companies that own it.

Rather, that was the position until it was undermined by *Steel v EVC International*.

Although not directly concerned with consortium relief, the court held that a shareholder's agreement providing for the constitution and control of a jointly owned company caused the shareholders to be connected with one another. This would equally apply to consortiums where owners had agreed how to implement a policy for the company.

The background to this decision is that, for decades, an anti-avoidance provision has

been lurking in the tax legislation. This is to the effect that two or more parties who act together to secure or exercise control of the company are treated as being connected.

The case confirmed this principle and brought it into the open. One of the consequences is that if the owners of a consortium are connected because of this rule, consortium relief is denied. This would catch most joint ventures because, typically, the owners will not be making a hands-off investment but setting up a commercial operation that they will want to keep within their control. To do this they need a mechanism for agreeing policy between themselves. This means they will be acting together to exercise control, so they will be connected.

Why, it might be asked, have any businesses set up joint ventures if there is this big problem? The answer is that, until recently, the anti-avoidance provision has been subject to a sort of truce. The Inland Revenue no doubt realised that it would potentially harm many commercial arrangements, so it tacitly disregarded it unless tax avoidance has been involved.



David Cruickshank wants the Revenue to lobby the Treasury

The court decision has prompted the Revenue to re-examine this truce. Concerned that consortium relief would be denied for joint ventures, my firm and others asked the Revenue to confirm that it would not apply the court's decision to these arrangements.

In its *Tax Bulletin* of December 1996, the Revenue replied that it would indeed apply the decision to consortiums. The Revenue said that, in most cases, where there are just two owning companies or there is a shareholder's agreement governing the policy of

the company, consortium relief would be barred.

But what should be done? Although the Revenue has some discretion as to how to operate tax law, it is perhaps unrealistic to expect the Revenue to ignore an anti-avoidance provision when a court has expressly determined that it does apply. What is missing from the *Tax Bulletin* statement, however, is any suggestion that the result is unfortunate and an attempt will be made to put it right.

Tax advisers are contacting their clients to see if they are caught by the ruling. If they are, it will prove very difficult to change their arrangements so that they fall outside of it. It is wrong, however, that commercial arrangements should be made to conform with tax law. Rather, anti-avoidance provisions should be targeted to catch avoidance without putting commercial arrangements in a straitjacket. What is needed is a change of law.

Fortunately, the timing for change is good because we are in the Finance Bill season. With strong lobbying it is to be hoped that the Government will be persuaded to table an amendment to the Bill to ensure that commercial joint ventures are not penalised by the decision. Perhaps the Revenue will join in the lobbying.

David Cruickshank is Head of London Tax at Deloitte & Touche.

Guidelines needed for remarkable change

IT IS a good thing that accountancy firms do not have outside shareholders and a share price to sustain. To judge by the second year of "full" accounts from KPMG, they would be hard put to fire up their followers. Last year, when the firm produced its first, and unaudited, report and accounts, they carried the legend "leadership in client service" on the front. This year, in what seems to be another effort at shaking out some random alphabet soup from management textbooks, they carry the words "working together, delivering value".

It may be that the sound of gentle snoring is what the firm wants to stimulate. The problem is that the report is not to shareholders at all. This is the first time that an accountancy firm has ever produced a fully audited report and accounts. And the report is from Grant Thornton, not KPMG. But the partners know roughly, if not in detail, what to expect beforehand. It makes for a certain emptiness of purpose.

The other users of the report are clients, the press, and partners' wives, husbands and mothers. And not many of any of those groups are going to be that interested in the sort of "what we did for the Halifax Building Society" case studies the report goes in for. The aping of mainstream corporate reports rather misses the point.

Companies put that sort of stuff in as flannel for analysts and investors. Accountancy firms are not talking to either. The press would probably rather have some details of the current vintage from the vineyard of Colin Sharmar, senior partner. And clients would probably want rather more on what accountants are up to and why they are useful.

Many finance directors are known to have somewhat sceptical views on this. The report would be a good place to air such topics.

The figurework is good and solid. A poor first quarter responded to Mr Sharmar's figure a number of departments, and the final figures show a 6 per cent increase in gross fees, but a 12 per cent increase in earnings. The average partner's earnings were £206,000, beating Ernst & Young, whose recent figures showed partners on an average of £200,000.

The other advantage of reporting now is that you can slip in the figures for the first quarter of the new year. And those are much more dramatic. Admittedly they are being contrasted with what the firm saw as a poor first quarter last year, but an overall increase in earned

income of 15 per cent sounds more than satisfactory with both management consultancy and transactions services growing at more than 30 per cent.

It means boom time for accountants again and, therefore, acute shortages of good staff. No wonder Mike Rake, KPMG's chief operating officer, was talking of an average of 75 people a week joining the London office alone.

But in the end, the real interest in these ground-breaking accounts is the fact that they are the first to be audited by an outside firm. Grant Thornton, the largest of the second-tier firms, did the work, and David Spence, who will be the Scots ICA president next year, headed the team.

As you might expect, he said that KPMG was "the most informed client I have ever dealt with". And on a personal note he said that he had gained a fascinating insight into another firm. The problem of Thornton and Spence is to go back to Grant Thornton and suggest that he has just seen a far more efficient and different way of running a particular discipline or department.

Elaborate Chinese walls are in place. But in the end it is going to be very valuable for a firm of Grant Thornton's size to be dealing with and advising a firm of the size and ambition of KPMG.

The other point is how the whole process can be taken forward. Both KPMG and Ernst & Young have found how easily what once seemed to be the insurmountable problem of disclosure has become a simple and almost humdrum routine. It cannot really be long before all the other major players in the accounting market follow suit. Indeed, anyone not putting out an annual report and going to find a certain amount of client pressure growing to do so.

For this some new rules need to be created. The accounting policies in KPMG's figures show that when it came to the profit-and-loss account and the treatment of taxation, both the firm and its auditors were making their own judgments on the proper way to present partnership figures. But if other non-corporate firms are to follow this route, then some broad guidelines are required. Hence the discussions with both institutes of chartered accountants and the Accounting Standards Board in the hope that a statement of recommended practice can be promulgated. To those with long memories, such an idea seems remarkable.



ROBERT BRUCE

Dame's date with the millennium

AT LAST the Dame has done it. The English ICA will have its first woman president at the helm as it sees in the millennium. At yesterday's council meeting it was announced that the fearsome Sheila Masters of KPMG had trounced Graham Ward of Price Waterhouse in the election for vice-president by 54 votes to 31.

But even before the vote was announced Dame Sheila's arrival in the same purple and

gold outfit that she wears in the KPMG annual report gave the game away. Apprehensive secretaries trembling at the promised Masters revolution were muttering some lines from Byron over her head.

"The Assyrian came down like a wolf on the fold, and his cohorts were gleaming in purple and gold."

Novel approach

WITH auditors auditing auditors, anything could hap-

pen. This week saw the publication of the first set of auditors' accounts ever to be audited by another auditor.

Neither of them fell asleep in the process. But both KPMG and Grant Thornton have had to be very careful to ensure such things as client confidentiality and not giving away each other's secrets. And in particular they have had to draw up a code that outlaws any conflicts of interest over insolvencies. "After all," said

our informant, "we couldn't have clients and auditors suing each other over the work that they had done." If only everyone else stuck to such a novel approach.

Media offensive

IF THE English ICA's latest plans are put into action, we can expect some grisly sights on our television sets long. Buried deep in the "annual report of the chairman, communications" presented to

the institute's council at its meeting yesterday was one proposal which should strike terror into the hearts of viewers and send listeners back to sleep at breakfast time. Talking of success in getting institute folk on to television and radio, the report says: "There are a number of opportunities coming up where we hope that persistence will pay off." Then comes the bombshell. "Our target is regular slots for an institute spokesperson on the Today programme and a panelist on Question Time." Don't say you haven't been warned.

ANY OTHER BUSINESS

Equities make further progress

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1996/97	High	Low	Company	Price	Change	Yield	P/E
ALCOHOLIC BEVERAGES							
100	100	100	100	100	100	100	100
BANKS							
100	100	100	100	100	100	100	100
BREWERIES, POPS & REST							
100	100	100	100	100	100	100	100
DIVERSIFIED INDUSTRIALS							
100	100	100	100	100	100	100	100
ELECTRICITY							
100	100	100	100	100	100	100	100
ELECTRONICS & EQUIP							
100	100	100	100	100	100	100	100
ENGINEERING							
100	100	100	100	100	100	100	100
CHEMICALS							
100	100	100	100	100	100	100	100
DISTRIBUTORS							
100	100	100	100	100	100	100	100

1996/97	High	Low	Company	Price	Change	Yield	P/E
ENGINEERING VEHICLES							
100	100	100	100	100	100	100	100
FOOD MANUFACTURERS							
100	100	100	100	100	100	100	100
HOUSEHOLD GOODS							
100	100	100	100	100	100	100	100
INSURANCE							
100	100	100	100	100	100	100	100
INVESTMENT TRUSTS							
100	100	100	100	100	100	100	100

1996/97	High	Low	Company	Price	Change	Yield	P/E
LEISURE & HOTELS							
100	100	100	100	100	100	100	100
MEDIA							
100	100	100	100	100	100	100	100
SHORTS (under 5 years)							
100	100	100	100	100	100	100	100
LONGS (over 15 years)							
100	100	100	100	100	100	100	100
UNDATED							
100	100	100	100	100	100	100	100
INDEX-LINKED (on projected inflation at:							
100	100	100	100	100	100	100	100

1996/97	High	Low	Company	Price	Change	Yield	P/E
MINING							
100	100	100	100	100	100	100	100
OIL & GAS							
100	100	100	100	100	100	100	100
OTHER FINANCIAL							
100	100	100	100	100	100	100	100
RETAILERS (HYPER)							
100	100	100	100	100	100	100	100
RETAILERS GENERAL							
100	100	100	100	100	100	100	100
WATER							
100	100	100	100	100	100	100	100
ALTERNATIVE INV MARKET							
100	100	100	100	100	100	100	100

1996/97	High	Low	Company	Price	Change	Yield	P/E
PHARMACEUTICALS							
100	100	100	100	100	100	100	100
PRINTING & PAPER							
100	100	100	100	100	100	100	100
PROPERTY							
100	100	100	100	100	100	100	100
TELECOMMUNICATIONS							
100	100	100	100	100	100	100	100
TEXTILES & APPAREL							
100	100	100	100	100	100	100	100
TRANSPORT							
100	100	100	100	100	100	100	100

1996/97	High	Low	Company	Price	Change	Yield	P/E
SUPPORT SERVICES							
100	100	100	100	100	100	100	100

1996/97	High	Low	Company	Price	Change	Yield	P/E
INDEX-LINKED (on projected inflation at:							
100	100	100	100	100	100	100	100

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David Honour introduces a special report on business continuity: making sure your company survives a catastrophe

You can be the master of potential disaster

When the staff of a City finance house go home for the evening, its computers are set to work, downloading the day's data to a remote vault for safety. Should the office be damaged by bomb, fire or flood, the employees will simply decamp to a back-up office, or "hot site", probably a building on the fringe of the City that is proving difficult to let for any other purpose.

There it will be business as usual. The finance house will be reaping the reward for paying perhaps £5,000 a year for each module — desk, PC, telephone line and financial service (Reuters or Teletext) — that it needs.

Such companies are usually aware of the need to keep their business going without a break. Small and medium-sized businesses may not have given it much thought. But it is in their interests to do so.

There are perhaps 40 British companies offering business continuity consultancy and services. The bigger players include Granada Business Continuity, Cornish CAP-RS, Team Recovery (a division of ICM), Guardian, SafetyNet, BT Commure, Wang and Adam Associates. All have seen rapid sales growth over the past two years.

In its infancy, business continuity planning was called disaster recovery. But the word "disaster" conjures images of fire, flood and terrorism. In real life, these are

rare. To a business, less dramatic but more frequent problems are computer and telecommunications failures, theft, employee sabotage and straightforward human resource problems such as death and illness.

The first step in the planning process is to assess the risks faced by the company. How exposed is it? Which risks threaten critical processes?

The next step is to decide what measures can be put in place to prevent risks becoming reality, and to minimise commercial damage if a disaster does occur.

At this stage the elements of the plan can be compiled into a document — the business continuity plan — which must be tested. This is best done by staging a mock disaster, an event which will be made more useful if it is not known to be a simulation. In this way the plan can be tested for weaknesses.

Once the plan is finalised, the temptation is to allow it to gather dust, but plans must be regularly reviewed. Possible redundancy of parts of the plan must also be considered.

Much of a business continuity plan will probably relate to a company's IT and telecommunications networks. As the complexities of these networks increase, so do the risks faced. Recent developments include new threats posed by the Internet expansion, the Y2K (Year 2000 threat) and EMU.

The recent massive growth of the



Computer-based dealing rooms are vulnerable, but clever managers have back-up systems in place in alternative locations to guarantee continuity

Internet has created many IT security problems for online companies. Protecting internal networks from unauthorised access and ensuring confidentiality of electronic transactions are a challenge. Authentication, encryption, firewalls and Internet tunnels are all solutions which need to be considered. Internet-propagated computer viruses are another threat.

Many companies have only recently become aware of the problems that two-digit computer dates could cause as the millennium approaches. Some pundits forecast

a minor hiccup; others are predicting an apocalypse. As in most things, the truth lies somewhere in the middle. Most of the larger business continuity and disaster recovery providers offer Y2K testing facilities, where systems can be duplicated and run, prematurely through the year 2000 date. Unfortunately it is easier, quicker and much less costly to find problem code than to re-write it.

European Monetary Union is another potential challenge to business continuity planners. To prepare for EMU, banks and financial institutions will have to redevelop

parts of their IT software structure. Evidence presented to the House of Lords by the British Banking Association and the Association for Payment Clearing Services put the implementation costs for British banks at £914 million at 1994 prices. Retailers will also face difficulties as banking systems would need to cope with a dual currency in the case of a phased implementation or alternatively an overnight change.

Many consultants offer business continuity advice help. Extreme caution is required when selecting one. Customer references should be sought and always followed up.

The only recognised qualification is provided by the Business Continuity Institute, incorporated in 1994, members of which have been scrutinised through a formal application and interview procedure. Members use the initials MBCCI or FBCCI (Member/Fellow of the Business Continuity Institute).

John Marsh, the institute's general manager, is a former naval commander who has seen his share of disasters at sea. "Any small business with IT that doesn't download every night is running into danger," he says.

At higher levels, Mr Marsh

concedes, it can be expensive. Some consultants charge up to £800 a day to write a business plan, which might cost from £10,000. "But then it's very expensive for a big company to tie up perhaps 50 computers in an unused office. It's much cheaper to pay a specialist company to do it."

"Insurance is only good for so much. Of the 250 companies in the World Trade Centre, New York, at the time of the bomb, only about 100 are still going."

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Will your firm be ready for action?

Susan Gray gathers tips on how to form a recovery plan and insure against a crisis

Businesses go bankrupt believing disasters happen only to other companies. Mick Williams, director at CAP-RS, which has seven business continuation sites around Britain, says that although bombs and hurricanes capture the headlines, 90 per cent of disasters are "quiet catastrophes" such as leaks and fires.

"They can be potentially embarrassing to a company's image, so most keep quiet about it. It's a competitive world out there, and having a break in your operations or admitting to being out of action, can cost customers."

John Woodcock, technical director at Sedgwick Risk Consulting, says: "Most businesses are over-optimistic about customers' tolerance of interruption. Customers are usually much more demanding and expect much quicker recovery than many businesses plan for. Businesses should perhaps reassess their attitudes to customer expectations."

However, just investing in a disaster recovery package is not enough. Key personnel need to know their roles in putting a continuation programme into action and all staff need to know what is expected of them so they can pull together from the start.

Mr Woodcock says that "action" is the key word in disaster recovery — too many companies have contingency plans that are too theoretical and lack clearly defined responsibility. "Many plans seem to be a form of intellectual guidance, rather than action-oriented. The purpose of a plan is to identify what people must do, when they must do it and with whom they must communicate. There should be no ambiguity."

The most successful disaster recovery plans are centred around actions including: establishing top management commitment, analysing threats to business, determining resources required for recovery and establishing a list of internal and external contacts. Mr Woodcock says that recovery plans often overlook the possibility of outsourcing work to third parties, who may in normal circumstances be competitors.

The Disaster Manager software package, marketed by Sedgwick, helps contingency plans to swing into action the moment disaster strikes. Kerry Parkes, a risk consultant, says: "Disaster Management helps to control the panic factor of a disaster. It ensures that procedures most commonly forgotten, such as recording expenses and temporary redirection of mail, are all addressed. It gives the confidence to look at the most

important question of all — how quickly would your customers expect you to be back in business?" Disaster Management is priced at £2,900 for a single-site, single-user package.

Even the most sophisticated IT systems are useless to a business without people to run them. Yet only 5 per cent of British companies have insurance to compensate against the loss of key personnel.

While taking part in the Virgin Global Challenge, Richard Branson was insured for a £30 million payout in the event of his death.

Talented leaders are the engines of companies, and "smaller companies usually

have more at risk from the loss of a key individual", Tony Collis, managing director of Sedgwick Risk Benefits, says. An objective consultant should be able to highlight risks, and the client can see if its insurance policy is appropriate.

NatWest Business Insurance Service says that small businesses need to heighten their awareness of business interruption insurance across the board. "One of the most common types of cover overlooked is insurance for the financial dent arising from either a natural disaster, an accident or an act of terrorism," a spokesman says.

Andy Dickson, marketing manager at IBM Business Recovery Services, says: "Business recovery is no longer about providing desks and chairs and PCs, but about talking to business people and protecting the whole operation."

Mr Dickson says that a good consultant gets under the skin of the client business, "not just looking at the visible hardware, but making the whole thing work."

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Just 48 hours to business recovery

Tony Dawe reports on how severe bomb damage failed to shut down Bishopsgate and Manchester's centre

The scars remain deep from the two biggest bombs to hit mainland Britain since the Second World War. Some buildings are still boarded and unrepaired nearly four years after the IRA struck in Bishopsgate, London, and in Manchester damaged stores and offices are still being demolished after last June's bomb in the Arndale Centre.

Yet businesses brought to a shattering halt in the two cities were able to start up again within 48 hours because of their links with disaster recovery specialists. For dozens of companies, the terrorist devices proved the importance of planning for the worst-case scenario and provided lessons on how to minimise the impact of future disasters.

Longridge House, British Engine Insurance's headquarters, was the office block to suffer most severely in Manchester. Staff making telephone sales that Saturday morning sustained the worst injuries in the city, and damage to the building, standing feet from where the bomb exploded, was matched only by the damage to its computer systems. British Engine was, however, able to call on the services of Comdisco, an international disaster recovery provider. Comdisco operates a computer mainframe recovery centre at Isleworth in West

London and emergency offices at Warrington in Lancashire. Angus Jordan, a member of British Engine's crisis management team, said: "Our first concern was for those members of staff injured in the blast. Secondly, we wanted to minimise any further stress and disruption by relocating people as quickly as possible."

Julia Graham, an executive with Royal Insurance, British Engine's parent company, added: "We found that moving to another office en masse was an excellent morale booster for staff because it allowed them to remain with colleagues in a time of crisis."

British Engine's disaster plan allowed for a 48-hour period to relocate key staff before any mainframe activity was required, so the Comdisco experts knew, when they were called in on the Sunday morning after the bomb, that they had until the Tuesday to prepare the Isleworth mainframe and the communications links to Warrington.

British Engine has about 350 home-based engineers who access the mainframe remotely to download their work schedules. Pre-planning and good communication ensured that everyone was informed when the mainframe system would be available again. Though there was a break in work schedules, disruption was minimal and



Offices wrecked, computer systems damaged: after the Bishopsgate bombing in 1993

the restart was performed on the Tuesday. British Engine was able to install a new mainframe in another of its offices by early July and move staff out of Warrington by early August.

A smaller business to suffer from the Manchester bomb

was the Curry House in Back Turner Street. The restaurant was undamaged but had no customers because of safety cordons in the area.

Mohammed Iqbal, the owner, knew nothing of disaster recovery plans but had taken out a shop-protector business-

insurance policy with NatWest, which covers even loss of profits caused by terrorist activities. Mr Iqbal said: "You could not believe how relieved I was when I received a call from NatWest saying I could claim for loss of business."

After the bomb at Bishopsgate in the City, the Banco di Sicilia was one of many finance houses facing shut-down. The explosion tore through its offices and dealing room on the 13th floor of the Hong Kong & Shanghai Bank building, which took the brunt of the blast, dislodging computers and shattering dealing screens. Branch managers had, however, drawn up a comprehensive emergency plan that included access to replica dealing rooms set up by Safetynet, specialists in contingency planning and recovery services, and Reuters.

The temporary dealing system was linked to one of Safetynet's back-up sites in West London, so the bank's emergency box containing back-up computer tapes, stationery and useful phone numbers was brought from a secure site outside the City.

By Monday morning, both the information technology back-up system and the temporary dealing room were operating as normal. Other staff were settled in temporary offices, and the bank was able to offer a full range of services.

After helping six companies through the Bishopsgate bomb aftermath, Safetynet drew up a list of 20 key lessons, including the need for off-site storage of comprehensive back-up data, an accessible emergency control centre and contractual agreements with key suppliers to maintain support in an emergency. They concluded that many contingency plans were untested, insufficiently detailed and out of date.

When power and paper fail to work

Susan Gray on how a coping strategy can save cashflow

Businesses need to be prepared for mundane disasters, as well as for the dramatic ones. How would a business operate if the mailroom was wiped out by flu? Or if there was a power cut? How would the company function if the archive basement floods, or papers were strewn all over the street—as happened in the Baltic Exchange bombing?

Ashley Shepherd, director of DSI Business Support based in Slough, Berkshire, says that companies underestimate the importance of a fully functioning mailroom. "Typically, a utility mails 100,000 to 150,000 bills a day. If they don't arrive on the customer's doorstep, cashflow quickly dries up," he says.

Direct telephone insurance companies rely on getting a quote to a new customer within 24 hours, or the business could go to a competitor. Companies using DSI Business Support's mailroom back-up service, mainly from the utility and financial sectors, pay an annual fee together with a daily rate for use of the facilities. Clients can bus their own staff to Slough or use DSI employees.

Even a break in power supply lasting minutes can seriously damage a business. According to Liebert Europe, one to three hours of electrical power supply is lost every year, with 30 separate incidents of five minutes loss causing far more damage than one giant break.

Uninterruptible power supply (UPS) from Liebert Europe offers varying levels of power protection to computer networks, depending on how business critical they are. To determine criticality, businesses need to look not only at the network, and whether downtime would paralyse operations, but also on the domino effect a power supply would have on hubs and other networks.

Paper can be the poor relation to computer networks in business recovery planning. Yet, according to Michael Muller, managing director of Bell & Howell: "The public and private sectors produce around five billion A4 sheets a year, of which only 2-3 per cent may originate from the computer system." Bell & Howell's answer is to back up paper records on microfilm and optical disks.

Tony Dawe on the support available when a problem affects information systems

RICHARD PURSEY, managing director of Adam Associates, is fond of telling the story of the disgruntled employee who set off the office sprinkler system while serving out her notice. As staff fled the deluge, most forgot to switch off their computers.

The water damage to fixtures and fittings proved to be minor but the computer network, many desktop machines and printers were damaged beyond repair.

"The company didn't have a disaster recovery plan, because the management had failed to realise the company's dependence on computers," Mr Pursey says.

"The result was months of chaos and lost business and the company still hasn't fully

The instant office insures against computer crises

recovered from the incident."

Mr Pursey does, of course, have a motive for recalling this sorry tale. His company offers an insurance-style policy that allows firms to keep going after suffering serious computer problems.

With computer downtime costing British industry more than £1 billion a year, scores of firms now offer rescue services ranging from replacing damaged hardware to providing a replacement office on wheels.

Adam Associates, based near Newbury, Berkshire, can install personal computers, printers and complete networks in as little as four hours, 24 hours a day, to rescue a company not just from drowning but from breakdowns, thefts and other disasters.

This year British industry will buy about three million PCs, yet under 5 per cent of firms have a contingency plan. "The lack of a plan can be a fatal oversight as 80 per

cent of companies suffering a major disaster go out of business within a year," adds Mr Pursey.

Guardian Computer Services can offer space in recovery centres in six locations. Its newest centre in Islington, London, provides an office for up to 300 displaced staff with access to computer systems, telephones and faxes.

The centre's equipment includes 200 PCs with six recovery suites which can operate as self-contained units accom-

modating teams of between ten and 100 people.

Security facilities include closed circuit television and uninterruptible power supply (UPS) with generator back-up. Roland Mann, a Guardian director, says: "When a disaster strikes, it is important for companies to have access to a safe, secure workplace where their IT systems can be replicated quickly."

Hewlett Packard provides three levels of business protection. The back-up service is designed for customers who need emergency help within hours of a computer disaster; the stand-by service rescues customers whose hardware has failed because of a disaster, while the full-scale mobile service will bring a large van containing a computer room configured to the clients' needs to their door.

Computer Stand-By will also turn up with a 40ft mobile trailer containing a replacement office with terminals and telephone systems. The trailer is equipped with air ride suspension to protect the system in transit and a generator providing UPS.

The Leicester-based company also provides data storage services and anti-theft devices and serves a quarter of the UK's top 100 companies. It has supported more than 130 disasters ranging from minor hardware failures to the complete destruction of premises.

Stafford-Miller, the toothpaste and healthcare products manufacturer, is one of the companies to sign up with Computer Stand-By. Alan Nicol, the group IT manager, says: "IT is now part of the lifeblood of our products. As every aspect of our business is reliant on such technology, we cannot afford to ignore the impact of losing all or part of the system."

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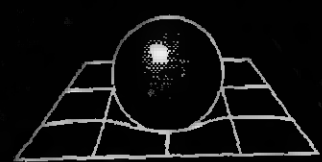
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The Propriety



■ FILM 1

Child and geese find fulfilment in the lyrical family movie *Fly Away Home*



■ FILM 2

Barbed wit and cruel deeds in the Versailles court: *Ridicule* is no sleepy costume drama

THE TIMES
ARTS

■ FILM 3

Jeanne Moreau only partly redeems Ismail Merchant's ponderous *The Proprietor*



■ FILM 4

Classic Forties newspaper comedy, crackling with quickfire wit, returns with *His Girl Friday*

Take flight to where it's warmer

CINEMA: Geoff Brown sees Anna Paquin and a cute gaggle of Canada geese *Fly Away Home*

The recipe is simple. You take one lonely child of divorced, pre-occupied or otherwise dysfunctional parents. You introduce the child to an extraordinary creature of land, air or sea. You cook over a low heat for 90 or so minutes. Result: the child achieves emotional fulfilment, and the film-makers achieve a family movie.

The outcome is not always nourishing. For every *E.T.* there are family entertainments so unimaginative that audiences might cry in despair had the films not put them to sleep. But *Fly Away Home* is not of that ilk. It stars a flock of Canada geese, who grab the attention whether hovering blithely over the breakfast table or soaring through the air in majestic formation.

The film also stars Anna Paquin, the piquant New Zealander, now 14, who won an Oscar for her role in *The Piano*. Her eyes are her best expressive weapon, and *Fly Away Home* gives her much to stare at. There is the eccentric behaviour of her estranged father, Jeff Daniels, who scoops her up in the opening scene from the trauma of her mother's death, and gives her a new start in rural Canada. And there are the geese, first seen as eggs left abandoned after an incursion by developers' bulldozers, and incubated in a chest of drawers.

For a while, Carroll Ballard's film is content to watch the child's material instincts waken as the furry goslings scuffle around, act cute (but never too cute), and fall into a lavatory bowl. Then some plot machinery is wheeled on. The local wildlife officer insists on clipping the geese's wings. Daniels and Paquin want them to follow nature's call and migrate south. But, orphaned at birth, they cannot fly, until a motorised hang-glider shaped like a goose and piloted by Paquin shows them the way.

Once the cast become airborne, the plot fades and spectacle takes over. Ballard, director of *The Black Stallion* and *Newlyweds*, loves a lyrical image, and his gifted cameraman, Caleb Deschanel, effortlessly wrests them from the geese's flight over lake, hill and dale.

Not every sequence looks genuine: when the geese steer a path through Baltimore skyscrapers shrouded in fog one suspects computer jiggery-pokery. But Paquin's attachment to the birds is real enough, and the film's strong emotional core, its innocence and sense of optimism, easily offset the two main drawbacks: insufficient drama and an over-generous length.

From geese to frocks, wigs, beauty spots, breeches, brocade, early morning duels and fluttering lace handkerchiefs: the usual roll call of the costume drama. Patrice Leconte's *Ridicule* adds another

and rarer ingredient: wit. Characters need this to survive in Louis XVI's court, where a well-timed remark can make or break a man's reputation. So the language flows, all in French with excellent subtitles, as Ferry Ardant, Jean Rochefort and lesser-known but excellent players make merry with jokes, barbs and games of deceit.

At first sight costumed fumery might not seem to be Leconte's *tasse de thé*. But the director of *Monsieur Hire* and *The Hairdresser's Husband* appreciates the cruelty of aristocratic behaviour, and the sad concern for appearances. Right from the start, when a Chevalier urinates on an infirm Comte, we know this is no museum of a film. The period dressing never appears finicky or overwhelming; characters live through their words, not their clothes.

Our representative in the world of Versailles is stage actor Charles Berling, cast as Ponceclon de Malvoys, a provincial squire who comes to enlist the King's support for a water drainage plan. Gazing distastefully with an outsider's eyes, he soon needs Rochefort's advice and protection. Avoid puns, he is told. Never laugh with your mouth open, and never laugh at your own jokes. So the outsider moves in, displaying a ready tongue, and an eye for ladies such as Ardant (maternal and conniving) and Judith Godrèche (pure and buxom).

Rémi Wazemhouse's script relishes the characters' loquacity, but never gets bogged down in words. There is always space to appreciate some absurd visual detail: a winking face, a caressing foot under a table, or the sight of the King (puff pastry adorned with a blue sash) peeping through a painting at the morning's supplicants. Of the cast, only Godrèche appears out of synch with her surroundings: the rest toss their

words, their cruel and pathetic deeds, with zest and precision.

White Man's Burden was the first film John Travolta made after *Pulp Fiction* reactivated his career in 1994, although no one has been in too much of a hurry to bring it to British attention. He sports ginger hair. He's an ordinary, ill-educated Joe, and works in a factory, at least until a stray glance at the boss's naked wife leads to his dismissal. Misfortunes then shower upon him: unemployment, harassment, eviction. Travolta's dim solution is to kidnap his boss and extort \$3,000. This brings more trouble.

Yawning already, I see. But there's a trick to this plot. In this America, circumstances have been turned upside down. The blacks have the money and the power; the whites are the underdogs. Travolta's kidnap victim is Harry Belafonte, who lives like a king among manicured lawns: Travolta's place is with the white trash, living in a squalor that reminds us that Desmond Nakano, the writer and director, also wrote the movie of *Last Exit to Brooklyn*.

The novelty initially provokes and amuses. But Nakano, directing for the first time, paints his reverse picture so broadly that its resonance fades as the plot plods on. Both Travolta and Belafonte give solid performances: not solid enough, though, to realise the film's potential.

The *Proprietor* begins with the spectacle of Jeanne Moreau smartly attired in the colours of the French flag, Red scarf. White coat. Blue dress. She deserves no less. The film she stars in is far less appropriate for all her authority and grace, she cannot give life to a fey and awkward script, or impart agility to her director Ismail Merchant, better

known and better skilled as the production half of Merchant Ivory.

Moreau plays a famous French writer, whose best-known book, *Je m'appelle France*, became a new-wave cinema classic. Long in America, she returns to her homeland to reclaim the apartment she lived in as a child.

Along the way, memories surface of the French Occupation: diatribes are launched against Hollywood crassness, and Moreau apart, an ill-assorted English and American cast acts in ugly capital letters. Cultural displacement has long been a Merchant Ivory theme, but practice in this case has not made perfect. The film tries hard to be suave, but is condemned to be gauche, dull, perplexingly bad.

Life returns with *His Girl Friday*, the sparky Howard Hawks comedy of 1940, based on Hecht and MacArthur's stage classic about journalists' shenanigans, *The Front Page*. Does this have more words per minute than any other film? It seems so, at least; and, unlike the players in modern pastiches such as *The Hudsoner Proxy*, the cast luxuriates in the furious pace.

Cary Grant takes the role of the ruthless managing editor, eager to exploit a murder story; in a gender switch from the original play, Rosalind Russell is the star reporter who needs to be wooed back to the fold. There is no time in the stampede of jokes for the milk of human kindness, least of all from Rosalind Russell, a performer always wrapped in ice. But the film's ruthlessness is bracing, especially when so many recent comedies chase themselves silly getting nowhere.

'Fluffy side of life'

Every week, young film fans discuss the latest releases...

□ **FLY AWAY HOME**
Toby White, 22: Slow, jumpy start leads towards lump-in-throat happy finale. Charming, but you have to be in the right mood to enjoy it. Nathan Jessup, 19: Sentimental clasp. Performances are good, if contrived.

Jeni Reed, 21: A tale of pre-adolescent trauma, with a touch of green activism. It's cute, it's cuddly—a glimpse of the fluffier side of life.

Nicki Thomas, 21: Predictable and unimaginative, but it somehow manages to entertain.

□ **THE PROPRIETOR**
Toby: Be prepared to shuffle in your seat. Some poignant moments failed to retain my attention in this dull, often trite, tale of self-discovery. Nathan: Too many characters; too thin on plot. Ismail Merchant asks you to believe too much.

Jeni: Watching paint dry would be more entertaining. The beams in this film aren't the only wooden objects.

SNAP VERDICT

Nicki: Boring. Save yourself some money and go to a letting agency and ask if you can view some properties: it takes half the time and is much more exciting.

□ **WHITE MAN'S BURDEN**
Toby: Engaging. One leaves the cinema feeling uncomfortable, which is how one should feel.

Nathan: Considering what this is about, it is played a little too straight. One expects a gritty urban tale, but it isn't. Jeni: Intense and thought-provoking but ultimately dull. Still, who cares when Travolta's in it? Nicki: Interesting to an extent, but the clichéd use of racial tension fails to go deep enough.

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DANCE

Flamenco receives the sober and straitlaced treatment in Paco Peña's new London show

MUSIC 1

In a Manchester recital the young mezzo-soprano Cecilia Bartoli confirms her dazzling promise

THE TIMES ARTS

MUSIC 2

Leonard Slatkin goes to the heart of Elgar in an eloquent performance with the Philharmonia

TOMORROW

Will Blur's extraordinary new album horrify their fans? Read David Sinclair's verdict

Posturing gypsy passion

DANCE: Paco Peña's flamenco show is spectacular, says Nadine Meisner, but where is the spontaneity?

Paco Peña is no sudden revelation, having performed in Britain for almost 30 years and founded his Flamenco Dance Company in 1970. He is no dancer either, being a guitarist, and is keen to raise foreign audiences' awareness of the singing in flamenco — the *cante* — traditionally considered the fundamental, inspirational component.

Marta Heredia, known as La Piconera, is one of the singers in Peña's latest show at the Peacock, *Arte y Pasión*, revealing a voice which even by flamenco's standards has an exceptionally hoarse earthiness. Implicit tears seem to fall from every word; but although the printed programme includes translations, we all know about trying to read in the dark.

So, as always with Hispanically-challenged audiences, it is the dance which focuses attention; and to this *Arte y Pasión* is modest in both its art and passion, reflecting perhaps the low-key stage persona of Peña himself. The young, rangy Angel Muñoz is the flashiest participant, entering like a version of the Kirov Ballet's Farukh Ruzmatov, dark curls streaming, equine profile ravishing. His extended solo grants him star treatment and displays a strikingly versatile talent, able to plunge into furious machine-gun footbeats as well as to decelerate into a balladic lyricism, with the simple sweep of an arm or a series of graceful slow-motion poses.

The musical rhythms are so closely bound up in his choreography that when he repeats a delicately limpid sequence without the accompanying music you can actually hear the melody in his steps.

Other dancers also avoid restricting themselves to one dimension. At first, in the opening *martinete*, Antonio Alcazar seems to slot himself into the category of punchy allegro dancer; but in the later *tiempos* duos he shows a more expressive and reflective side. Choro Espino dances a statuesque solo and then returns in an entirely different mode to play the castanets, the chattering of her hands engaging in a dialogue with Peña's guitar.

Castanets, an ingredient of other Spanish dance forms, have only relatively recently been absorbed into flamenco. That is all part of flamenco's evolution, as is its transition to the international proscenium stage. How do you adapt to this setting? Peña's solution is to abandon all illusion of spontaneity and to opt for a highly orchestrated presentation, with carefully choreographed groupings, passages of union, and lighting that places silhouettes against slabs of glowing colour.

Is that why the *pasión* part of the title appears so muted? Straitjacketed into decoratively ordered sequences, flamenco's extreme emotional language often seems reduced to empty postures.



Statuesque dancing — and some mean castanet-playing — from Choro Espino (with Paco Peña behind)

LONDON CONCERTS

Steady as he goes

BRAHMS Discovery Day at the Barbican ended with the second programme of the London Symphony Orchestra's series devoted to the composer's centenary. It made one impatient for all the remaining concerts: with such warm and responsive playing the LSO may be a "natural" Brahms orchestra, but Colin Davis's exalted music-making here was about more than sheer beauty of sound.

His Brahms, we are learning, is slow. Even the *Academic Festival Overture* was stately, its subdued passages sounding almost elegiac. But no matter how dark and sonorous Davis made it, the inner textures came across with muscular clarity, and the final *Gaudeamus igitur* burst out joyfully.

Two Goethe settings provided the substance of the first half. The *Alto Rhapsody* was sung with eloquent poise by Sara Mingardo, a genuine contralto rather than lowish mezzo, in vibrant, burnished tone. The voice is focused and full-bodied all the way to the top, and Mingardo used it to produce long, seamless lines in a performance true to Brahms's almost secular spiritualism. The later *Gesung der*

Parzen, for six-part chorus and orchestra, is taken from one of Goethe's Classical texts and evokes a tragic grandeur; but even excellent singing from the London Symphony Chorus could not counter the impression of this being a heaving, dense score not entirely undeserving of its neglect.

LSO/Davis
Barbican

Davis's spacious approach to the *Second Piano Concerto* was matched by the thoughtful pianism of Gerhard Oppitz, who was solid in the Kempff mould and took a similarly long-breathed view of the score. In a performance based on real dialogue between piano and orchestra, the first movement sounded more than ever like giant chamber music. Oppitz was not shy of bravura outbursts, but his reluctance to indulge in empty virtuosity meant that for once this concerto did not sound like one of the big wrist-breakers of the repertoire.

JOHN ALLISON

Spirit of delight

VENICE, Tintagel, a quotation from Shelley and a dedication to the memory of a King are all verbal embellishments on the score of Elgar's *Second Symphony*, and each affords some clue to its sometimes secretive character. Leonard Slatkin, the American who becomes the Philharmonia Orchestra's principal guest conductor next season, has long put British listeners in his debt for his perceptive understanding of English music, and so it was again here.

Without diminishing the public "face" of the music, with its typically stately sorrow, Slatkin took the Shelley quotation for his own motto: "Rarely, rarely comes thou, Spirit of Delight", and infused that spirit into the orchestra's performance. His scrupulous attention to Elgar's markings, not least the frequent instructions to accelerate or pull back (sometimes both within a single bar), meant that the music's ebb and flow acquired an eloquent beauty.

The elegiac slow movement, so easily made to sound pompous by reference to the death of Edward VII, here became as intensely personal and poi-

gnant as anything by Mahler. And the conductor's skill in balancing instrumental textures meant that more of the inner detail was apparent than usual. This reinforced the sometimes tragic undercurrents in a performance of wonder and lasting fervour. Slatkin was also attentive to the vibrant account of Men-

Philharmonia/
Slatkin
Festival Hall

delsohn's Violin Concerto given by the Hamburg-born Christian Tetzlaff. With the orchestral strings reduced on a foundation of four double-basses the soloist had no difficulty staying dominant. But that exposed his wiry tone at the start, and his solo cadenza later sounded squeezed-out like toothpaste. He occasionally spun a fine thread of romantic feeling, but the finale was as much brusque as brisk.

NOEL GOODWIN

There has been a blurring of news and current affairs in broadcasting over the years. Each was once, at least at the BBC, a jealously guarded empire operating behind Chinese walls (if not concrete ones). The merging of the two disciplines was sensible as well as economic, but there are still moments when the distinction is important and when there is more to be learnt from current affairs than from the news.

Take Tuesday night, the big domestic news story, certainly by *The World Tonight* at 10pm, was John Major swinging his handbag at the European Union and its social chapter. The spin-doctors rushed into every studio to tell us that this was the Prime Minister protecting our economy, stitching our precious pockets against the street urchins of the minimum wage. In a word, it was electioneering.

Anyone tuned in to Radio 4 at 7.20 the same night heard about a real Euro scandal. *File on 4*, one of the most informative programmes in the schedules, investigated the fraud in the transfer of goods between EU countries — and between the EU and outside countries.

Of course we all know that Brussels wastes money. But a comparison of *File on 4* and Mr Major on the news amply demonstrated what every Euro-sceptic knows: that there is an ocean of clear blue water between the rhetoric of politi-

Has the BBC got news for you?

clans and the reality encountered by, for example, British lorry drivers. One of the latter, interviewed by *File on 4*, thought that he was carrying goods to Albania: only to be met in Greece by a carload of men wearing black suits and dark glasses. The driver was obliged to follow the car through the back streets of Athens where the load was put into a warehouse. Meanwhile guards on the Greek-Albanian border were bribed to stamp documents showing that the lorry had in fact crossed the border, thus enabling a trading company to vast amounts in reclaimed duty.

Perhaps this was a small crime, a one-off? Sadly not. There are 18 million commercial road traffic movements in the EU each year and modest estimates suggest that even if only 1 per cent of them are fraudulent, the European taxpayers are forking out £10

billion a year to criminals. Of course the devil is in the detail. National Customs and Excise organisations are fighting a losing battle against mountains of paperwork and are often obliged to use systems so daff that they would be mocked if employed by a candlestick maker. There are 50,000 customs posts in Europe. Each one has a unique stamp for authenticating documents, meaning that the Dover Customs, say, needs to have copies of 50,000 stamps in order to check the authenticity of documents. The stamps are so basic that criminals run up copies for a pastime.

A committee of the European Parliament is working to improve the system and all are agreed that computerisation would seriously reduce fraud. So why isn't the system computerised? Because member governments are refusing to pay for it. They probably think that spending a few million to save £10 billion wouldn't sound sufficiently gang-bro on the news.

PETER BARNARD

Warmth of the south

So much has been said about the new Bridge-water Hall's imperfect acoustics that the success of its first season so far has been almost overlooked. And this week Manchester succeeded where London has just lost out — by persuading the temperamental mezzo Cecilia Bartoli to appear.

Bartoli, making her Manchester debut, mixed some of her familiar showpieces with fresh repertoire. The first half was devoted to Vivaldi, music to which her compact, lyric instrument is ideally suited. The short motet *In furore iustissimus iras* displayed her strengths in quick succession — brilliant coloratura, a relish of words in recitative, and her ability to spin long, limpid lines. She tore into the final "alleluia" with fervour, pointing up the way in which this motet anticipates Mozart's famous *Exsultate Jubilate*.

Accompanied by the ensemble I Delici — four strings led

from the keyboard by György Fischer — she was also brilliantly touching as the betrayed lover in the cantata *Cessate, ormai cessate*, and though the strings sounded a little threadbare, she marvelled at the varied invention of Vivaldi's writing.

Bartoli's vibrant voice may not be big but her range of expression is. In an aria from Vivaldi's opera *La Griselda* she fired off runs of utmost delicacy and sang with power. Though she may never grow into heavier roles, she is matchless in what she does: these Vivaldis, and an encore from Paisiello's opera *Nina, pazzo per l'amore*, are reminders that this repertoire

is ripe for a Bartoli-led revival.

More exhilarating, though, were the mostly high-spirited French and Italian songs in the second half. It is hard to imagine Pauline Viardot's disarmingly simple pieces being invested with deeper meaning than here. *Her Havanais* had beguiling, sensuous warmth. *Hai l'aiti* voluptuous vulnerability. Bartoli summoned up a mini-Carmen in the laughing lines of Delibes's *Les Filles de Cadix*, to suave and supportive accompaniment from Fischer.

Voice and personality filled the hall in her final Rossini group. The bursting excitement of *La regata veneziana*, the long floated lines of *Riedi al soglio* from *Zelmira*, and the risk-taking of the *Canzona Espagnola* added up to a display of Rossinian singing at its full-throated, Italianate best.

JOHN ALLISON

SCOTTISH THEATRE: Neil Cooper on the excellent *Passing Places*

Uneasy riders on the storm

Road movies can be many things, from the bantering *Hope-Crosby* vehicles to rides of existential angst. The nearest thing to it on stage has been Sam Shepard's excursions into the Wild West and dark heart of the American landscape. At Edinburgh's Traverse, Stephen Greenhorn's new play, *Passing Places*, takes all this and more on board, rooting things squarely in a Scottish culture obsessed with Americana but still in search of its own identity.

All this is relayed via Alex and Brian, a pair of smalltown boys going nowhere who get out the only way they know how — doing a runner with a prized surfboard owned by Binks, Alex's psychopathic boss. The only transport on offer is a worn-out Lada, a rusty symbol of once-united nations falling apart. The boys head north for Thurso, where the surf is up all year round.

Along the way they pick up wild child Mirren, who leads them the long way round a voyage of discovery, taking in the sights, sounds, but more



Kenneth Bryans and Paul Hickey in *Passing Places*

importantly the ideas of assorted fellow travellers they meet en route, including a kooky geologist and her crazy sculptor boyfriend, who transforms the once drab Lada into the archetypal candy-coloured streamline dream machine. And all the while, Binks is in hot pursuit. In a series of 50 short, snapshot-like scenes, Greenhorn conveys all the wonders and frustrations of life on the road, fusing thickest banter with Zen Buddhism, then coming out the other side with something altogether new. For, in its youthful zest and vigour, this is a play about change: as much about the inarticulate half-formed desire for it as resistance to it. Alex and Brian are yin and

yang in this way, a symbolic driver and guide each finding their own path to enlightenment.

Director John Tiffany has pulled off a quite remarkable feat in bringing this road movie for the stage to life at all. What might at first look like being ambitiously unwieldy is basically left to run on its own fuel. Tiffany is helped by a superlative cast, with Paul Hickey and Colin McCredie proving that opposites attract as Alex and Brian, while Kenneth Bryans is on menacing form as Binks. Stuart Bowman and Ian Macrae put out a scatter-shot array of cartoon cameos. If there is a problem with the piece, it's perhaps a little too dependent at times on one-dimensional cultural stereotypes mouthing quasi-mystical platitudes. But then, maybe that is the point: we are all cartoons now.

Passing Places is another in a growing body of Scottish plays seeking out answers to a spiritual lack, not with dirty realism, but with grace and good humour worth making the trip to see.

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Benson investment: Liverpool-Manchester railway, 1831

A very snug sort of sock

Howard Davies

KLEINWORT BENSON
The History of Two Families in Banking
By Jehanne Wake
OUP, £25
ISBN 0 19 282299 0

My bookshelves are host to a good number of corporate histories. They are kept out of harm's way on unreachable shelves, or concealed in cupboards rarely opened: to preserve them carefully, you understand, for generations yet unborn. So the arrival of a weighty tome entitled *Kleinwort Benson* does not exactly set the pulse a-racing. Though Mrs Nicola Horlick has done her best to add a touch of gaiety to the merchant-banking scene, one does not expect the same excitement from an account of the stern German Kleinworts or the upright Quaker Bensons. But this is too pessimistic a prognosis. Jehanne Wake has done both more — and less — than the conventional corporate historian.

Here is, in a sense, three books in one. The first is a family history of the Kleinworts, from 1613 to the present; the second is a family history of the Bensons, from 13th-century Lakeland on; the third is a rather sketchy account of the background to the merger in 1960 and the firm's acquisition by the Dresner Bank Group in 1995.

The first two "sub-plots" provide a fascinating comparison between the merchant classes of Britain and Germany. The third is a perfunctory effort, and the reader will learn little new about the dynamic which drove two of the City's front-rank institutions together and then into the arms of a German universal bank.

David Kynaston's definitive history of the City describes the Kleinworts as "the classic case" of non-integration into the culture of the London market. And the Kleinwort who did most to build the firm, Alexander,

made his first serious money in Havana in the 1840s. Havana was, shall we say, not the most tightly regulated trading market and "the Kleinwort bank was founded on the proceeds of gun-running, shirt and currency smuggling, and cigars." Alexander also dealt in what his accounts book described as "socks" — linen condoms. These exotic trades provided him with the capital base to establish a partnership in London in 1855.

The Bensons had reached London three years earlier. The family began trading cotton cloth from Kendal through Liverpool; only when railways began to look a better bet than cotton did they decide to move south.

The families' perspectives were quite different. For the Kleinworts banking continued to form the main interests of their lives, together with the belief that the family firm always came first. For the Bensons, however, banking continued to be but the means to an end.

It would be wrong to draw a simplistic lesson from this comparison. Perhaps the best conclusion is that the City's strength has been, and remains, that both Kleinworts and Bensons can flourish, whether in common cotton, or in licentious linen.

Howard Davies is Deputy Governor of the Bank of England.

Why another Odyssey?

To translate the 12,000 lines of Homer's *Odyssey* into English is a massive task which has been undertaken many times. In the roll-call of Robert Fagles' predecessors stand Shakespeare's contemporary George Chapman, whose bold couplets so inspired Keats; the Victorian polymath Samuel Butler, who thought that Homer was a woman from Sicily; the mad poetic genius William Cowper; Thomas Hobbes in his eccentric old age and, most celebrated of them all, Alexander Pope, whose best-selling translation of *The Iliad* made him rich enough to take on *The Odyssey* with a hired team of assistants.

All these men wrote for readers of Classical learning and leisure. Yet in our own hurried century, too, while ancient literature has faced its greatest threat since the fall of Rome, there have come distinguished attempts upon *The Odyssey* from Ezra Pound, T. E. Lawrence and Robert Fitzgerald. The plain prose of E. V. Rieu's Penguin Classic has been hardly less profitable in the bookshops than was Pope's poetry; Allen Mandelbaum's easy-listening lines are now enlivened in a taped performance by Derek Jacobi; and there is still the fashionable American, Richmond Lattimore, whose Longfellow-like verse was as favoured in the Seventies as, at least for this student, it was discouraging.

Now we have the work of Fagles, another American poet and professor at Princeton. At the end of this book, when Odysseus is safely back home, when his rivals have been speared, the disloyal maids hanged, and when life on the island of Ithaca has finally returned to the peace of before the Trojan War, Fagles provides a postscript in which he thanks his friends for never asking the question "Why another *Odyssey*?" By this stage, after more than 400 fast and forceful pages, the reader is presumably intended to applaud the friends' good manners. With a few small caveats, this reader does applaud. The "why another *Odyssey*" question still, however, needs an answer.

One of the hardest tasks for readers and translators of

Homer has always been to get on top of the works as a whole. *The Odyssey* is famous for its parts: for the hero's escape from the Cyclops by twisting a hot stake in its single eye ("and the hot blast singed his brow and eyelids round the core and the broiling eyeball burst"); for the faithfulness of Penelope at her loom, the Sirens' "ravishing voices" for the death of Odysseus's old dog, Argos, happy at last that his master has come home. One of the finest scenes, the journey to the world of the dead, was developed by Virgil and Dante into one of the cornerstones of Europe's culture.

The totality of the poem has been correspondingly neglected. Not even students of the Classics have had to read it all. For them, too, the rewards lay in the parts. In the answers to the questions of who composed *The Iliad* and *The Odyssey* and at what time, whether there was one Homer or two or 2,000, whether the composers ever learnt to write or whether they were always singers simply remembering sections and chunks of lines. The inconsistencies of language and morality, burial practice and building materials had to be laid bare: too often there was little of the poem left.

Fagles writes like a man for whom the whole is vastly more than the part. He has been helped by a similar slow trend among scholars. I should hesitate to say that there is now a consensus on these Homeric problems. Imagine, however, that in the years between the great Mycenaean kingdoms, whose palaces and primitive skills in written Greek were destroyed around 1200 BC, and the rebirth of Greek literacy with a new more practical alphabet around 800 BC, there were groups of illiterate wandering bards who told travellers' tales in easily remembered rhythmic hexameter lines. Imagine that Mediterranean audiences could pick and mix from the bardic repertoire and that the singer-poets would keep a stock of prepared metrical phrases to fit their various situations; and that over time certain characters and stories would prove more successful,

more requested and hence more durable.

Imagine then that close to 725 BC, some 500 years after the fall of Troy, someone who came to be called Homer wrote down his best version of the most popular bardic poems; that this text became rapidly the canonical version; that, although he smoothed out some of the competing versions of the war and homeward travels, he felt no need to impress future scholars with his perfectionism.

Homer's art was in the giant sweep of the stories, the conflicts of changing characters in changing times, the perils of peace and war on earth, among the dead and with the gods on Mount Olympus. His dawns were often "rosy-fingered" and his seas "wine-dark" — too often for critics who misunderstood the needs of oral poets to finish a line. But his art lay in his manipulation of the heritage he had chosen: this art Fagles aims to place before us almost three millennia later.

The opening of the poem is not one of the sections normally most favoured. It describes how, in the long absence of Odysseus, his house is being wrecked by claimants for his wife and bed. His son Telemachus, a petulant adolescent, can do nothing to stop the rot except make visits to his father's more successful warrior friends. Fagles gives these scenes a light, almost lachrymose tone. Epic characters do not commonly say "you'd do me in", see rumours coming "from the blue" or talk of fortunes changing "with a vengeance". Fagles has a sure grasp of this youthful suburban air, much stronger than that of Mandelbaum or Lattimore.

Once we meet Odysseus himself for the first time, caught in the tender trap of the "queerly nymph" Calypso, the atmosphere changes. The solid world has gone, the mysterious tales begin and some readers may miss their traditional English renderings of centuries past. In the garden of the Phaeacian king, Alcinous, Fagles finds neither the magic nor the real desirability of a Utopian orchard where "those fruits, nor winter's cold nor summer's heat fear ever, fall not, wither not but hang perennial, while unceasing zephyr breathes", in Cowper's 1791 version.

Similarly, in the more famous set-piece scene where the crippled Hephaestus fixes a trap for his wife Aphrodite and

her lover the war-god, Ares, Fagles is also rather flat. The coveting lovers, caught in a net over their bed, become a cabaret for all the male inhabitants of Olympus: "all heav'n beholds, imprisoned as they lie, and unextinguish'd laughter shakes the sky", runs the vivacious roccoco version of Pope and his helpers in 1725. According to Fagles, "uncontrollable laughter burst from the happy gods", a sentence that is hardly less lame than Hephaestus himself.

During these difficult magical interludes Fagles is at his best in the great Homeric similes. He senses better than anyone how Odysseus hears Demodocus's songs of Troy at King Alcinous's banquet, how the hero cries for both himself and for his lost friends, like a woman who clasps her dying husband on a battlefield while "the victors just behind her, digging spear-burns into her back and shoulders, drag her off into bondage". Last we seem to praise Fagles' older rivals too much. It is worth saying here that the bold Chapman misunderstood this passage completely.

Fagles is at his finest in the long final section between Odysseus's return to Ithaca and the peace accord with the families of the slaughtered suitors. He keeps that the scenes of deception and recognition as the hero tests his family and friends, driving his lines at a surging pace. His poetic momentum does more than merely move the great battle scene in the hall to its dramatic close: it keeps the reader always on top of the action with a vantage point to see the subtlety of the actors.

We see how Penelope, despite her later reputation, is not a simple symbol of wifely fidelity. She has managed her own interests by keeping the suitors in their long and destructive uncertainty; she has given everyone grounds to hope and her son good reason to be frustrated. She also has intuitions of Odysseus's disguised presence that would not disgrace the heroine of a novel.

The glory-seeking warrior ethos of Achilles' *Iliad* is commonly contrasted with

The Odyssey's softer postwar survival virtues. Yet, as Bernard Knox points out in the introduction to Fagles's work, Odysseus is as vehement as Achilles in rejecting the suitors' desperate peace offers once the arrows start to fly. We watch how, even before his victory is complete, the hero reduces his disloyal shepherd to a broken bag of bones. As for the maids that have been "under the suitors' bodies, rutting on the sty", Telemachus hangs each one in the back yard: "they licked up heels for a little, not for long". In a well-rendered *Odyssey* nothing is quite what it seems. Modern writers owe it much. For cumulative plotting and complex motivation Homer sets an awesome standard for all time. I always feel a tiny choke in my throat when in the opening few lines the performing poet calls on the Muse to speak again — "for us too". For generation after generation, that Muse has spoken to so many. Fagles translates the phrase well as "Daughter of Zeus, start from where you will — sing for our time too". She does and so does he.



A welcome return: Lawrence Macdonald's sculpture of Odysseus greeted by Argos

Peter Stothard on the ongoing English love of Sirens and Cyclops

THE ODYSSEY
By Homer
Translated by Robert Fagles
Viking, £25
ISBN 0 670 82162 4

MARY EVANS

The importance of being Jewish

Erica Wagner

OP. NON CIT.
By Alan Isler
Cape, £12.99
ISBN 0 224 04386 2



Isler: keen observation

Who could be more British than a Gladstone? The very name evokes the Union Jack. And yet the Gladstone who makes an appearance in *The Crossing*, one of four tales in Alan Isler's slim new work, does not feel himself to be quite what his name might suggest. In the middle of the 19th century David Gladstone was born David Lurie to two "gin-sodden" East End Jews. Fortune smiled, and he found himself adopted by Sir Benjamin Gladstone, shipping magnate and patron of the Whitechapel Asylum for Hebrew Orphans. Thus was his life transformed — but for the fact that, though wealthy and successful, he still feels himself to be outside of the society to which lesser men easily belong. "Gladstone has always felt somewhat alien among his gentle countrymen, even those of that class among whom he had spent most of his life, those among whom he moved with ease and freedom. There was forever something behind their hooded eyes, he felt, some unspoken thing, that locked him out."

It is this locking out that drives *Op. Non Cit.* Isler, born and brought up in Britain,

long resident in the United States and recently returned to these shores, has an expatriate's (or an ex-patriate's) interest in the dilemma of the outsider. He has confronted the issue before, both in his first novel, *The Prince of West End Avenue* (whose protagonist was a German Jew exiled during both the First and Second World Wars) and his second, *Kraven Images*, whose hero's career of deception gives him an alternate identity.

His latest book takes side-long glances at "works not cited" to examine the predicament — if such it is — of the Jew in genteel society. Here is a familiar Jew, a merchant in Venice; an easily-distracted Romantic poet and a weary resigned Oscar Wilde. To some extent this format, which has the flavour of a creative-writing exercise ("Imagine the thoughts of the Man from Porlock") is in danger of

making the book a game of spot-the allusion: Gladstone meets Wilde aboard ship and tells him of his own unpromising beginnings, and then of those of another orphan — "He had been left and then found atop a Hebrew bible in a rather capacious handbag in the cloakroom of Victoria Station."

This is distracting. Isler is an able, nimble writer who can slip this stuff in easily, just as he can work up a love duet for a modern musical about the Dreyfus Affair (*Springtime for Hitler*, anyone?). "If you were the only Jew in the

world? And you were the only gay...?" Fun as it is, to a certain extent it detracts from what Isler is really good at here: portraying with subtlety and sensitivity the one remove from life at which his characters perceive themselves to stand. In *The Bacon Fancier*, Cardozo, one-eyed violin maker from Venice — but now settled, quite naturally, in Porlock — finds his life seems empty when his Quenele dies, a stray girl he took in and loved, and who put up with being called the "Jokey Zoor" — the Jew's whore — for his sake.

Both outsiders, both found solace in each other's arms: the interrupted Coleridge does not really matter one way or the other. It is the same with Gladstone and Wilde. The latter telling the former that "society will always win" doesn't really come as news. Much more effective is Gladstone's fruitless confrontation with the fraudulent General "Gallant Jack" Barth, after which the General "noted him with dead eyes that turned away." It is its keenness of observation, not its flickering cleverness, that makes *Op. Non Cit.* more than an afternoon's entertainment.

10p

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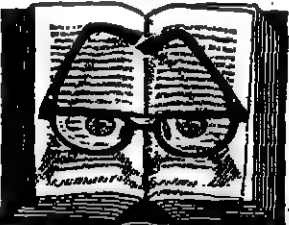
CHANGING TIMES

Just to furnish a room

Until April 27, an exhibition of Folio Society books can be seen at the British Library, under the title "Beautiful Books". The Society and the Library have also jointly published Paul W. Nash's bibliography *Folio 50* (ES0), with skew-whiff lettering on the front board.

The Folio Society has published around a thousand titles, yet it has never quite got things right. Instead of books that are, sadly, naïf (OED: "unfashionable, outmoded, or vulgar; unselfconsciously lacking style, socially inept; also, worthless, faulty, 'dud'"). Folio's founder, Charles Ede, was inspired by Golden Cockerell and Nonesuch Press books, and set out to produce a "poor man's fine edition". From him that hath not shall be taken away even that which he hath. If the poor man had collected Folio books, he would now be poorer still. Most titles are now between £20 and £40, and like cars they can almost be guaranteed to lose value as soon as they leave the showroom. The second-hand trade doesn't fancy Folios. An auction at Bonhams next week has 20 lots together with an estimate of just £50-£70. The Folio edition of *The Rise and Fall of the Third Reich* is priced at £84.50. A dealer would be generous to give you £25 for it. My copy of the first edition, from a market stall, cost a respectable £5.

But the true objection to the Folio Society is that it is for people who know they should read but don't. Scarcely any of these unhandy volumes feel like the proper form in which to enjoy the authors. Whether it be a simple Penguin or an



BIBLIOMANE

Everyman, or an old copy that someone has handled before — almost anything, is more comfortable. For all the boasts about how well it crafts them, the Folio Society doesn't quite know what a book should look like: only what a Folio book looks like. And despite being a major patron of wood-engravers, it has no idea how to print their often exquisite blocks with any delicacy.

Alongside the Folio exhibition, and with Folio's support, is another display of self-regard: "designer" bookbindings. With rare exceptions (Brian Robinson, Geert van Daal), these are of uniform hideousness. The unconventional and unfunctional is mandatory. There is no designing going on here, just ingrowing. Even the "set book" is Bernard C. Middleton's *Recollections: My Life in Bookbinding*. Incidentally, is anyone else invited to showcase commercial work at the British Library every year? This bunch have at least got one thing right.

It's a shame when a skill is lost because the gullible are led by the plausible, and told to be "experimental" or "subversive". It has happened with poncey bookbinding, and I fear that calligraphy is going the same way, after hearing a Letter Exchange lecture last year by Denis Brown, who used to be an artist with the nib but is now a deconstructionist. Finding the pen insufficiently mighty, he has taken up other weapons, cutting and cudegling vellum to represent menstruating vaginas and calling a protest at the ways Roman Catholics treat women.

Now we know. J.R.R. Tolkien was the greatest author of the century (and Folio's most popular pick). So although the memory of having *The Hobbit* read to me at school still makes me feel unwell, a worthless 12th impression fetched £782 at Bloomsbury Book Auctions recently — being signed by the author. Thank you, but I'd rather have the riveting volume lovingly (or fictionously?) catalogued by Charbury Old Books: A.M. Samuel, *The Herring: Its Effect on the History of Britain* (Murray, 1918, 198pp), £18.

Time to find out which books readers most hate. Nominations please.

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Allan Levy finds that an analysis of the implications of Jamie Bulger's death raises many legal and social issues

No one who saw them is ever likely to forget the quivering video images from a security camera of toddler Jamie Bulger being abducted from among shoppers and led to his awful death by two ten-year-old boys, Robert Thompson and Jonathan Venables. The removal of the child from Bootle Strand shopping centre, the enforced walk for two-and-a-half miles to the railway line, the conversations with various adults, and the final acts of violence and abuse provided a searing example of the worst nightmare of every parent and child. Although the killing and the trial took place three years ago, the case is still at the forefront of public interest and debate. In particular, issues related to the convicted boys' sentences await a judicial ruling in the House of Lords and wider trial matters are to be considered by the European Commission of Human Rights in Strasbourg.

Blake Morrison is interested in the fundamental question of why the two young boys killed another child. He found irresistible the offer from *The New Yorker* magazine to cover the murder trial in Preston in November 1993. Finding the whole experience disturbing, he nevertheless thought that once his article was published he would forget about the case. But it would not go away.

Provoked perhaps in part by John Major's far from illuminating soundbite on the case that "we must condemn a little more, and understand a little less," he has now written a challenging book which searches for the clues to why the boys behaved as they did. He also examines carefully the way our criminal justice system tries to cope with such young children on trial and the effect it had on them and the three families whose lives

Drawn again to a senseless death that will not fade away

AS IF
By Blake Morrison
Granta Books, £14.99
ISBN 1 86271 003 2

were devastated. He slowly recognised that the trial process would consider the where and when and the how and by whom the killing took place, but not what made two ten-year-old boys kill an innocent child. He felt as if something important had happened at the trial that still has not been faced or explained.

Searching for solutions, Blake Morrison considers how the murdered child's mother must feel and is driven back on his own experience of nearly losing a child. He follows the route the children took on the fateful day, and tries to imagine the feelings and reactions of the three children. He ruminates on the restriction on the expert psychiatric evidence and the teachers' evidence at the trial in the attempt to determine whether the boys knew the difference between right and wrong at the time of the killing.

Observing that adults find it hard enough to act on their knowledge of right and wrong, he wonders whether children can act with a clear moral sense. He



November 24, 1993: the verdict on the Bulger case delivered by Mr Justice Morland

ponders on the influence of parents and the absence of parents and the extent, if any, to which they should attract blame. He considers the possible influence on children of violence, in videos and in the home, and

the limit of their understanding of the possible consequences of violence. He weighs the possible sexual aspects of the case. He comes to the conclusion that in the search for understanding in such a case we

must, to an extent, look within our own lives.

Blake Morrison examines the legal system that dealt with the case. The trial raises many pressing and controversial issues. Should ten-year-olds be subject to the full panoply of an English criminal trial in an adult Crown Court held in public? The minimum age of criminal responsibility is in fact ten whereas in most other European countries it is between 13 and 16. Are ten-year-olds capable of understanding the adversarial process and giving instructions to their lawyers? What is the right way to deal with young children who kill? Should we be following a civil welfare approach which recognises the need to detain children when appropriate?

The Bulger case has given rise to strong emotions, not least in some parts of the media. What is desperately needed is a rational debate about a legal system which cries out for reform. The process will not gain from being at the mercy of narrow, seemingly political interests. We need to draw on the experience of other systems and recognise that a degree of complacency has resulted in both children and adults being ill-served when caught up in the criminal courts.

Blake Morrison has contributed greatly to this debate and his thought-provoking book should be read by all those who have a serious interest in the vital process of reform. If some good is to come out of this horrific case some further dispassionate, apolitical consideration needs to be given urgently to the many disturbing questions raised by the death of Jamie Bulger.

Allan Levy, QC, is a specialist in child law.

A tenuous hold on the colonies

Felipe
Fernández-
Armesto risks
his health for
history's sake

Historians' output has increased, is increasing and ought to be diminished. Much of it is rubbish. Vulgarisations, bloated bookshelves. Academic fat clogs bibliographies and threatens the vital organs of learning with hypertrophy. A strict regimen might save us: otherwise, patrons and taxpayers, revolted by the useless corpulence, will be right to impose a starvation diet.

We need writers who take pride and reviewers who take prisoners. Editors and publishers' readers must make uncompromising demands. Research assessment committees should start deducting points for bad work: at present, there is more pressure to write than to write worthily. Academics without genuine vocation get away with glaring ignorance, feeble scholarship, shallow thinking, slipshod writing. In a climate of indifference and self-interest, those with laurels to rest on and stipends to draw on are almost indemnified against criticism. If they are in positions of power or patronage, they can rely on sycophancy from colleagues and students.

We all know that academic journals publish plagiarism and gobbledegook without detecting it. It is more disturbing when a book like Marc Ferro's *Colonization* is deemed worthy of translation, produced in a delusively cheap paperback and endorsed by dons who ought to know better. Ignorant readers are lucky; they will only be misled. The knowledgeable may risk apoplexy.

The alchemy of error produces strange transmutations.



Setting a time and place: British Ambassador Lord Macartney encounters the Chinese Emperor Chien Lung in 1793; taken from an anonymous illustration, dated 1806

COLONIZATION
A Global History
By Marc Ferro
Translated by
K. D. Fritzsche
Routledge, £16.99
ISBN 0 415 4088 0

Warren Hastings becomes a "Scottish military pioneer". Gordon of Khartoum, also cast as a Scot, is said to have "played an important role" 60 years before his birth. Those who thought Lord Macartney went to China in 1793 will be surprised to learn that "Great Britain sent its first important

ambassador, Mac Cartney, to Peking (1797)". In Professor Ferro's madcap chronology, a defeat can be "avenged" before it happens.

Such ignorance might be pardonable in a work with other merits. Here, however, lapses of logic, errors of interpretation, deficiencies of judgment and passages of literal nonsense are almost as rife as the factual mistakes. In its very conception, the work is fatally flawed. Ferro starts off by confessing his confusion over the difference between colonialism and imperialism. This confusion, never resolved, is easily spread to the reader.

In consequence, there is almost nothing in the book about the subject proclaimed in the title. We never know where colonists came from or where they went or in what numbers or how they adapted the environment. We are not told what crops or what trades or (except in the 20th century) what commerce sustained them. Their lives, their dwellings, their settlements, their art, their morale, their religions — whatever might bring the book to life — are omitted.

Instead, we are given a series of apparently arbitrarily selected examples of relations between incomers and natives and between colony and me-

ropolis. Almost half the book is taken up by narratives of decolonisation: all are conventional to the point of tedium, except for a curious excursion on the Maoist terror-clique of Peru, Sendero Luminoso, which even the author seems to regard as irrelevant. Promise flashes briefly when treatment of the drama of colonialism is announced. The writer is known as an expert on this subject. But the reels seem to have got twisted and the picture show called off.

The subtitle's claim that this is a "global history" is laughable. There are some perfunctory, poorly informed passages on Japanese imperi-

alism; and Ferro, genuinely interested in Russia, is right to treat the Soviet Union as an empire. Commendably he has managed to fit in a couple of pages on Egyptian imperialism. For the rest, however, the round-up is of the usual suspects: the white empires founded from Western Europe and North America, and post-colonial exploitation by their successors.

In the Post-Modern world where facts transmute and values vanish, it is impossible

to stop books like this from being written; but by condemning them we can help to make publishers more cautious and protect a profession in danger of disgrace. *Colonization* would appear to be proof that, at present, rigour is not required for advancement or esteem and that it is not even necessary to think clearly or write well.

Felipe Fernández-Armesto's books include *Millennium: A History of Our Last Thousand Years* (Bantam, £14.99).

In the thick of the madding crowd

Flaubert famously wanted to write a novel in which — nothing happened. Upon reading the latest offerings from two of America's finer women writers, Mona Simpson and Louise Erdrich, one wishes that they had at least considered the merits of such a project. Both women have produced sprawling, exuberant novels that are marred, above all, by the fact that too much happens in them.

Louise Erdrich's *Tales of Burning Love* roams terrain familiar to her readers, and illuminates, for those who are interested, events left unexplained in *The Bingo Palace*. But then new book is, above all, a novel about one man, Jack Mauser, and his five wives: Eleanor, Candice, Marlis, Dot and the long-dead June Morrissey. Mauser is, at the book's outset, married to Dot Nanapush, wife number five. She, unbeknownst to Jack, is still married to her incarcerated first husband Gerry, but is initially unaware of Jack's former spouses. Eleanor, wife number two, an academic skulking in a convent, is crucial among them: she and Jack are still having an affair.

Claire Messud

TALES OF BURNING LOVE
By Louise Erdrich
Flamingo, £6.99
ISBN 0 00 65491 5
A REGULAR GUY
By Mona Simpson
Zebra, £15.99
ISBN 0 571 1907 0

Meanwhile, Candice: Pantomime, an efficient dentist and wife number three, has taken on — the woman who is Jack's fourth wife, Marlis, and her infant son.

On New Year's Eve, Jack is apparently burnt to a crisp in a handy fire at his faltering property development, and his four wives gather after the funeral to discuss the disposal of his remains. Stranded in a car, in a blizzard, they recount to each other their "Jack" stories — a sort of "Jack's Wives Club". Jack, meanwhile, has made a canny escape, as has Dot's first husband Gerry, who has survived a plane crash while being transferred from one prison to another. As these

rollicking adventures pile up without any apparent irony, it remains unclear where the novel's focus lies: the book is neither a rounded portrait of Jack, nor a full exploration of his wives.

NARRATIVE exigencies override any natural character development. Louise Erdrich is a fine writer, and reveals her gifts for gracious and delicate prose; but in its over-plotted frenzy, *Tales of Burning Love* seems more suited for video than for the page.

There is nothing preposterous about Mona Simpson's *A Regular Guy*, or almost nothing: an early scene in which ten-year-old Jane Owens drives all night, from her mother to her father, augurs unlikely events, but Jane is soon reunited with her mother, installed in a bungalow not far from her father, Tom, and embarked upon an only mildly eccentric California childhood.

Tom Owens is the "regular guy" of the title — a character reportedly based on Steve Jobs, the founder of Apple Computers and Mona Simpson's long-lost biological brother. A millionaire before



Louise Erdrich: Jack stories

the age of 30 and a corporate cast-off not long thereafter, a vegetarian hippie with odd notions about education and vague political ambitions, Tom Owens is, in many ways, far from regular. His encouragement, however — his girlfriend Olivia, his wheelchair-bound scientist buddy Noah, Jane and her mother Mary — is more peculiar than he, not least because they all hang out together and spend such a lot of time puzzling over the nature of his soul.

The scope of Simpson's novel is ambitious and intriguing. She traces the odd web of

relationships surrounding her protagonist, and if too much happens it is not because planes pop out of the sky and houses burn down, but because the book follows a lot of people over a number of years, and because these people lack proportion. If the guy at the core were less elusive, this would not matter; but Owens remains shadowy, and even uninteresting, as does Jane, the novel's other central character. Noah, the scientist, is, on the other hand, tremendously vivid, the book's most engaging figure: as he frets about scientific failure and sexual inadequacy, we are swept, delightfully, along. But the novel is not his, or not sufficiently. Indeed, Simpson seems uncertain of how to shape the narrative, as if she had not asked the vital questions "whose story is it?" and "what is at stake?"

Flaubert wanted to write a plotless novel because purity of prose and the truth of human nature were at the heart of his work. In some combination, they are at the heart of all the best fiction. These two novels remind us that sometimes, alas, the goings-on just get in the way.

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BOXING

McCall lets title glory concentrate the mind

By Our Sports Staff

OLIVER McCALL had energy to burn when he arrived in Las Vegas yesterday to complete some unfinished business with Lennox Lewis. George Benton, his trainer, implored McCall to take a breather, wind down and get reacquainted to the pace and glitz of the fastest growing city in the United States. But McCall asked for more.

"I didn't want Oliver to go to the gym," Benton said. "He had to take a drug test, had that on his mind. The hard work has been done, but he wanted to release some of his fire."

"He's knocked out Lewis once, that will be on Lewis's mind and that must give Oliver all the confidence in the world. We are down to what's in the mind and we are confident of winning."

McCall, who is in his third bout of drugs rehabilitation, was tested by the Nevada State Athletic Commission and will go through the same mandatory procedure after the contest for the vacant World Boxing Council (WBC) heavyweight championship at the Hilton Centre tomorrow night. The former champion took the WBC crown off Lewis with one powerful right hand at the Wembley Arena in September 1994. In order to stabilise the most turbulent period in his life, McCall needs to win back the title.

The American had one successful title defence against Larry Holmes, the veteran, before losing the crown to Frank Bruno on an unforgettable night for British boxing at Wembley Stadium.

Victories over the underdog opposition of Oleg Maskaev and James Stanton hoisted McCall back to the No 2 contender's position and in place to challenge for the title once it was relinquished by Mike Tyson.

"I think about the other guy setting out to beat me up," McCall said. "I think about winning. I'm not going to lose. I don't want to get hurt. It's not a scared feeling. I try to

send a mental message to my opponent: 'You ain't gonna hurt me. You'll put no fear in me. I'm coming at you with all my power and force, full force'. Lewis must have received that message in our first fight.

"I've knocked him out once and I'm going to knock him out again. I want to prove my previous win over Lewis wasn't a fluke. Tell Lennox Lewis he's going to get whipped."

"I'm now in the shape I was when I knocked out Lewis the first time. I'm like Clark Kent. I've put on my Superman cape again. I'm going to have that belt back. I've got God in my corner. Oliver is a warrior, a real warrior with God in my corner. Lewis can have all the best trainers. They can tell him how to fight, but they can't put the fight in him."

McCall said that he had his first encounter with drugs rehabilitation before the Bruno bout, and added: "It failed. I went about it incorrectly. I was going to the clinic as an out-patient, when I should have signed on full-time. The drugs and alcohol outside overpowered me. I wasn't able to sustain myself. I was consumed in the battle. This time, I've controlled myself."

Robert McCracken, the unbeaten Commonwealth middleweight champion from Birmingham, must have another scan on his back before being given the go-ahead to return to the ring. McCracken is recovering from surgery in December, when he had fluid drained from his spine and a hole in a disc at the top of his back repaired.

McCracken would have been unable to box again without the operation and was told that a punch in the wrong place could have paralysed him.

He has his sights set on boxing again at the end of April and said: "I am feeling a lot better. It was hurting me until a week ago, but it is now easing off and hopefully it has been a success."



Guy Pinesent, left, and Jim Cartwright, of the Cambridge team, go through an intense sparring session

Students seek a new punch-line

John Goodbody finds Cambridge determined to end Oxford's dominance in the boxing ring

Cambridge, who have lost the 11 previous University boxing matches, are ferociously intent on winning the centenary tournament next month. They spent last Saturday at Crystal Palace training alongside the Young England team that faces the United States at the Royal Lancaster Hotel in London, this week. Under the tutelage of Ian Irwin, the national coach, the University squad acquired extra ringcraft and technical skills that they will need at the Guildhall, Cambridge, on March 16.

It is a hazardous task. Oxford have been dominant in boxing as they were in rowing in the late 1970s and 1980s. The match score stands at 43-1. However, the mood at Cambridge is one of upbeat concentration.

"I want to help to try to make it more of an even match," Irwin said. "We are focusing this weekend on widening their technical skills. They have five weeks to go before the match and in the

first four of those weeks they can push themselves."

Cambridge are already doing plenty of physical work, running most mornings plus four gym sessions a week. Dave Freeland, the captain, who is taking a PhD in magnetic multi-layers in physics, admitted: "Our coaches are quite good slave-drivers."

With the demise of boxing in schools, it is extremely rare for any undergraduate to have even been inside the ring before going up to university. Bob Stratton, who, together with Graham Greenaway, aids Peter Wright in coaching at Cambridge, said: "We do have a captive audience. The students are fired up by the fact that they want a title on their CV. So we get about fifty lads in the gym at the start of the year. We lose about thirty in a few weeks. We can then work with those who have the character for the sport."

Stratton, who also coaches club boxers, considers the University match "a very tough affair". He added: "Club boxing may be more skilful, but the Varsity match, with a 2,000 audience, is completely hyped up. It is a terrifying situation for a boxer of that experience. Club boxers never have to face a situation like that."

What pleased Stratton about the annual match, the ultimate fitness sport, the ultimate competition, he said. "Boxing is just one man against another. It is so physically and mentally demanding that other sports are almost a preparation for it." Freeland is one of four old blues in the Cambridge team that put up an impressive performance against Sandhurst recently. Stratton said: "I can't say whether we will beat Oxford, but we will be competitive."

Why Oxford have been so dominant, though they have had superb coaching and Stratton adds that they have "acquired a nucleus of boxers and have fed off it. At Cambridge, we have had boxers for a year who have then drifted away". Freeland, himself a graduate of Oxford, where he concentrated on karate rather than boxing, said: "Oxford have had better continuity and a large gym. It was to offset these advantages that he approached Irwin, a fellow Cumbrian, for extra training."

Freeland is enraptured by boxing. "It is the ultimate fitness sport, the ultimate competition," he said. "Boxing is just one man against another. It is so physically and mentally demanding that other sports are almost a preparation for it." Freeland is one of four old blues in the Cambridge team that put up an impressive performance against Sandhurst recently. Stratton said: "I can't say whether we will beat Oxford, but we will be competitive."

GOLF

Woods wilts in the heat of return to Thailand

By Our Sports Staff

TIGER WOODS, the young professional hailed as the brightest prospect on the US PGA Tour, has had the edge taken off his return to his mother's home country by illness and fatigue. Woods, greeted by cheering crowds when he arrived in Thailand on Tuesday, was forced to pull out of the pro-am event preceding the Asian Honda Classic, which starts today, after being laid low by the heat.

Exhausted after a sleepless night and recovering from food poisoning, Woods, who was raised in the United States, withdrew on the 13th hole in Bangna. "Tiger is in the locker-room suffering from heat exhaustion after the long flight from the US," Peter German, the tournament director, said yesterday. "He is not at all well. He cannot give a press conference today and begs your forgiveness."

Woods, 21, who has become one of the best-known sportsmen in Thailand, tied off at 11.0am, and by midday the temperature had risen to 35C, with intense humidity. By the 3rd hole, he was showing signs of tiredness and stomach cramps. After four hours, he was driven off in a car after failing to complete the 6th and 8th holes.

John Cream, a spokesman for the Asian PGA, said that Woods had endured a flight lasting 20 hours and had only two hours of sleep before flying by helicopter to the Thai Country Club, in the Bangkok suburb. He had been flown back to his Bangkok hotel to rest, Cream said.

Also scheduled to compete in Thailand with Woods, who is ranked No 14 in the world after only 11 professional tournaments, are Steve Elkington, the US PGA champion in 1995, Curtis Strange and Frank Nobilo, of New Zealand.

Ernie Els is not in Thailand and instead left off at the South African Open today to launch a three-tournament series for the PGA European Tour. Ian Woosnam, Vijay Singh and Costantino Rocca will also be competing at the Glendower Country Club course, at Johannesburg, before moving on to Sun City and then the South African PGA championship, back in Johannesburg.

SQUASH

Rivals set their sights on Jansher

By Colin McQuillan

JANSHER KHAN'S domination of world squash has been so complete that the notion of an "unlucky" venue is hardly likely to dent his confidence to any significant degree. Yet even he will have noted with some concern the announcement yesterday that the Equitable Life Super Series finals are to be held again at The Galleries in Hatfield, Hertfordshire.

It was there, 12 months ago and in the same event, that Jansher suffered his last defeat. Although Del Harris, of Great Britain, his conqueror on that occasion, will not be in attendance this time, the other seven contenders have shown the kind of form that could undermine the Pakistani's aura of invincibility.

Rodney Eyles and Brett Martin, of Australia, Peter Nicol, of Scotland, Chris Walker, Simon Parke and Mark Cairns, of England, and Ahmed Barada, of Egypt, have earned their places through their results at the seven Hi-Tec Super Series tournaments on the Professional Squash Association (PSA) World Tour.

Eyles, the world No 2, was in sparkling form for Ellis Lingfield in the Super Squash League this week, defeating Cairns 9-2, 5-9, 9-6, 10-8. However, his success at first string was not enough to prevent Dunraven Maesteg winning the match 2-1 and moving to the top of the table.

Walker, the highest-ranked Englishman, at No 4, on the PSA list, took his first tour title at the Apawamis, in New York, at the start of the year and went on to reach the semi-finals of most of the Super Series events. This week, he defeated Derek Ryan, the Irishman, 9-6, 4-9, 9-7, 5-9, 9-6 to clinch a Super Squash League win for ICL LionHearts against Rowlands Manchester.

Jansher, the world champion, is serving a PSA suspension for his late withdrawal from the Mahindra event and may take up his Super Squash League registration with Surbiton in order to get sharp for the Hatfield tournament, which runs from March 26-29. The Surrey side could certainly do with him: they are propping up the table, along with Lingfield, and have a series of tough encounters to come.

SHEEHAN on BRIDGE

By Robert Sheehan, BRIDGE CORRESPONDENT

There was some good partnership understanding, and thoughtful play, on this hand from the 1997 Macaulan International pair. Christian Mari was North and Omar Sharif South.

Dealer West North-South game IMPs

♠ A J 10 2
♥ A K 9 4
♦ Q 7 4
♣ K 2

♠ 8 7 6
♥ J 5 2
♦ A K 10 9 8
♣ 7

♠ 8 4 3
♥ 10 8 7 6
♦ 8 3 2
♣ J 10 8

♠ K Q 8
♥ A 6
♦ A Q 8 8 6 4 2
♣

Contract: Six Clubs by South Lead: Ace of diamonds

West opened a weak Two Diamonds. Mari doubled and East raised to Three Diamonds. Sharif bid Four Diamonds. In the first instance, all that said was that he wanted to play in Four of a major, but, when he removed Mari's Four Hearts to Five Clubs, he showed an excellent hand with a club suit. Mari completed a good auction by raising to Six Clubs.

You might think that there was nothing in the play. After winning the diamond, West switched to a heart, and now many players would simply draw trumps and go on to the next deal, but Sharif won the heart in dummy and ruffed a diamond at trick three before drawing trumps. Do you see why?

It was to cater for East holding all the clubs. If that had been the case, then, after the king of clubs, declarer can

continue with a club to the ace, forcing East to split his honours.

Now, declarer has three entries to dummy (two spades and a heart), to reduce his trump length to the same as East's and finally to be in dummy at trick 11 after cashing the third spade, to lead a plain card through East's remaining J x towards his A 9.

That way, Sharif would have made the contract if East had started with a 3-3-4-4 shape, with J 10 x x of clubs. If you go through the play, you will find that ruffing a diamond at trick three is essential. If declarer plays trumps at trick three, he is an entry short to carry out the trump reduction.

Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

KEENE on CHESS

By Raymond Keene, CHESS CORRESPONDENT

Linares

In the first round of the Linares tournament, in Spain, Garry Kasparov defeated Vishy Anand, the world No 2. Michael Adams, Great Britain's representative, beat Alexei Dreiev, of Russia.

Chinese chess

The Chinese have their own version of chess which, with more than 400 million regular players, is probably the most popular board game in the world. The main differences from chess as we know it are that pawns capture as well as move forward in straight lines, there is a river which divides the centre of the board, there are two pieces known as elephants and catapults, which are unknown to western chess, and both kings are confined within a restricted fortress. The game is highly tactical. This tactical basis has proved excellent training for Chinese players who wish to join the international arena. Several Chinese champions, grandmasters and masters are on tour in western Europe. The following game is a Chinese victory from Geneva.

White: Peng Xiaomin
Black: Lassarev
Geneva, January 1997

Stefan Defence

1 e4 c5
2 Nf3 d5
3 d4 cxd4
4 Nxd4 Nb6
5 Nc3 a6
6 Be3 Ng4

Diagram of final position

Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

Doig's life takes turn as voice of game in New Zealand

Michael Henderson meets a man who is used to accepting challenging roles

The task of rejuvenating the fortunes of the New Zealand Test team, and reshaping the structure of the domestic game, has been entrusted to a man whose background is as far removed from cricket as it is possible to imagine.

Chris Doig was — still is — an opera singer, and not just any opera singer. He belonged to the Vienna State Opera for eight years, has sung at La Scala, Milan, and he is the only cricket administrator to have taken on the role of Otello. Yet he is now the chief executive of the New Zealand Cricket Board for Cricket Inc., as it calls itself, and, until the wheel of his working life shifts again, cricket is his priority.

It has been a remarkable life by any standards, blessed by happenstance and coincidence. He has been a gifted amateur sportsman, English teacher, full-time singer, professional administrator and now executive. At the comparatively youthful age of 48, his career is far from over.

"I went to Vienna in 1974," he said. "I had an opportunity to take two years off from teaching at Auckland Grammar School, primarily because I loved singing German lieder."

"I went as a baritone and studied at the Music Academy where Anton Dermota, the principal tenor at the State Opera, heard me and said, 'you have a marvellous voice, but you are a tenor'."

"After two years, the Staatsoper offered me a job, but I came home to New Zealand. I walked straight off the plane into a staff meeting at Auckland Grammar and, after one period, I resigned. In Vienna, I had immersed myself in Schubert and Richard Strauss and I returned to hear people debating the cost of tea and biscuits."

"I went in to see the headmaster, John Graham, and resigned on the spot. He was

an All Black, for whom the arts were anathema. He liked the sportsman in me and abhorred the artist, but he agreed to keep the job open for me for two years, so I could go back to Vienna knowing I had something to fall back on. I spent the next eight years as an international singer and was perfectly happy, apart from missing New Zealand.

"In 1984, I came home because my father was dying and I looked round and

up. My daughter was having lessons with his chap's mother, who was a singing teacher. She had asked Rachel how I was doing and Rachel said: 'Oh, he's fed up with singing.' Within five minutes, her son had rung me in Sydney. I had four years of engagements booked up, but when they offered me the job of chief executive I pulled out of them."

Despite his achievements in the opera house, he was happy to throw it all in. "As a kid,

German and John Graham we have an extremely good base to build on."

He doesn't say there is much work to do. "The history of New Zealand cricket shows that we have not had a structure to nurture players from youth level to the top. Our first-class cricket is not of the highest standard and there is a vast difference between that and Test cricket. Replenishment of the team has been difficult."

"Rugby gives a distorted picture of New Zealand sporting prowess. In virtually every country, it is a minor winter code. The only major country where it is pre-eminent is South Africa. A population of 3.5 million is a deficiency in cricket, but not in rugby."

"In addition, there is an innate inferiority complex, enhanced by our geographical position. It has as much to do with a mindset as with ability. This is a small country with an underdog mentality."

But things are changing. "We have built an elite, five-in cricket academy on the campus at Lincoln University, near Christchurch, which we feel is as good as any anywhere. There are 14 players, who have excellent facilities and studies leading to full tertiary qualifications."

"We are sending some of them to the Australian Academy to work alongside their lads, to let their personalities develop and to get some of that Australian brassness rubbing off on them. We hope that every one of them will come back thinking 'I'm as good as those guys'."

"Rixon has invited Richard Hadlee and Martin Crowe to get involved with the national side, and we're hoping to involve the All Blacks as well. By mixing with successful sportsmen, we hope it will build up the players' self-esteem."



Doig: varied career

WORD-WATCHING

By Philip Howard

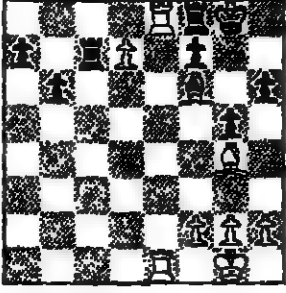
- BIBLICALS**
ELEAZAR
a. An Apocryphal prophet
b. A priest
c. A rebel against David
- NAHASH**
a. An Ammonite king
b. A false prophet
c. A concubine
- ABIRAM**
a. A revolting wanderer
b. A forefather of David
c. Saul's second wife
- ZACHARIAS**
a. An elderly father
b. A doomed general
c. A prophet
- Answers on page 42

WINNING MOVE

By Raymond Keene

White to play. This position is from the game Lautner — Anand, Linares, 1994. Here, White could play 1. Rd8+ Kd8; 2. Re7+ Kg7; 3. d5! Qxd5; 4. Rd8, emerging with an extra piece. However, Black would then be able to make life difficult thanks to his connected passed pawns on the queenside. White, therefore, found something stronger. Can you do as well?

Solution on page 42



Marathon men with the world at their feet

We are used, these days, to champion endurance runners coming out of Africa. We have learnt to expect them to be at the front at the great games and the mass marathons. So, when we hear that Josia Thugwane, of South Africa, is coming to compete in the Flora London Marathon, it seems natural that he should stride in as reigning Olympic champion.

But it was not always so. In the Fifties, on the tracks and roads of Europe, African distance runners appeared rarely and were regarded as a bit of a joke. In events where such quintessentially British qualities as discipline, strength of character and cool reserve were at a premium, the ebullient and at times reckless front-running of the Africans was seen as naive and ridiculous.

The Europeans believed they had perfected the art of marathon preparation. It involved a high volume of well-disciplined training, a sophisticated, scientific approach. It was not for nothing that one of the leading inter-war marathoners was known as "Treadmill" Cliff Bricker. In those days, Africa had a great

distance runner, one of the finest and most influential of them all — but he was white. His name was Arthur Newton and before he embarked on the career of a globe-trotting professional athlete, he did most of his running in South Africa and what, in those days, was still Rhodesia.

Newton won the famous Comrades Marathon — 54 miles between Durban and Pietermaritzburg — five times and set a series of amazing world bests for long-distance racing. He once covered more than 152 miles in 24 hours — a record that still looks impressive 65 years on. He was a deep thinker and a wise writer about his sport. He knew his running, and he knew his running, and time has proved the correctness of almost every opinion he held.

But, in one observation, he was completely wrong. Like so many of his generation, he believed that the Africans would never make great distance runners. Writing in the Thirties, he said: "The average Bantu or Zulu is far and away a more capable distance walker and runner than the average white man, yet he has no sort of hope when the latter



gets into real training." Try telling that to Thugwane.

The high point of the methodically-trained European marathon runner came with Emil Zatopek. With year-round dedication, never seen before, Zatopek churned out thousands of miles and turned himself into a gold medal-winning machine. When he won the marathon at the Helsinki Olympic in 1952, it was his third victory of the Games.

But trailing behind Zatopek was a man who hinted at the African running revolution to come. He was Alain Mimoun, an Algerian, although in the Fifties that meant he ran for France. Eventually, Mimoun beat Zatopek, in the 1956 Olympic

marathon in Melbourne — with his old rival in sixth place.

Four years later, a man trotted down from the highlands of Ethiopia. Abebe Bikila, a stick thin, black-skinned, a silent and dignified member of the palace guard of the Emperor Haile Selassie, was an unknown no-hoper at the start of the Rome Olympic marathon. He had a personal best of 2hr 21min, but he was so African, so much an outsider, that he ran without shoes on his feet. Bikila, the mysterious Abyssinian, seemed to float out of the past — but his times belonged to the future. In two hours and 15 minutes he changed African running for ever.

The idea that an unknown Ethiopian could so easily defeat the best long-distance runners in the world in the hardest race of all sparked the hopes and dreams of every African boy. His legend spread far beyond his homeland and kindled the enthusiasm for running that in less than a decade swept over East Africa.

Soon, the champions were tumbling out of Africa — from Kenya, Tunisia, Ethiopia, Djibouti. In the 1968 Olympics, five Africans —

Keino, Wolde, Biwott, Temu and Gammoudi — won gold medals. Since then, they have hunted in packs for records and medals. The London Marathon alone has seen such runners as Dinamo, Salah, Mekonen and Wadhvani.

Every so often, Africa throws up a new champion to kick the legend forward. The latest is Thugwane. He is the new Bikila. His origins are just as unlikely, his achievements just as amazing. He is the man from a corrugated tin shack with a bullet scar cut across his face. He is the man who speaks in his tribal language.

Ndebele, with his tongue clicking in the back of his mouth. But he is, above all, the first black man from South Africa to win a gold medal in the Olympic Games.

Like Bikila, he will serve as an inspiration. The difference is that, when Thugwane runs in London, he will be met, not with the disbelief that greeted Bikila's triumph four decades ago, but with the delight and respect that sport now reserves for the runners who come out of Africa.

JOHN BRYANT

Reflections on harder times

Document: The Letters in the Mirror. Radio 4, 7.20pm.

The driving force of all journalism is the belief that great stories can originate from humdrum assignments. The same principle applies in other areas of life, which is why people spend hours in junk shops in the hope of finding something special. Tonight *Document* tells the story of Liz Barnes and her Dutch husband, who bought a mirror in a London junkshop. When the mirror broke, a collection of letters written during the Second World War were revealed. They told the tale of a Dutch family, the father incarcerated for being Jewish. This is remarkable enough, but when Liz Barnes went to Holland to pursue the story, she was in for a real shock.

Analysis: Shop 'Til You Drop. Radio 4, 8.00pm.

This is a somewhat hackneyed theme which is redeemed on this occasion by having a remit which goes beyond the shores of Great Britain. The argument that the consumer society has gone too far has been heard before, so has the consequential argument that consumerism has promoted the individual at the expense of collective values, thus undermining and possibly destabilising society. *Assignment* redresses the subject in two ways: by examining the extent of consumerism in less developed societies, where individual wealth is just beginning to threaten collective values, and by trying to extrapolate present trends into a picture of how the consumer society might develop.

Peter Burnard

David Powell tracks the history of a venue threatened to be lost

King joins bid to keep Palace open

It has not reached the point yet when Dave Bedford might be thinking about tunnelling his way deep beneath Crystal Palace athletics track to stop the bulldozers moving in, but, you never know, Swampy might get a call eventually. Bedford has always been grimace-minded, so how about one last record attempt at the Palace track to mark its going and highlight the travesty?

"Swampy, staying underground longer than he did during his seven-day A30 protest, improves human mole record to 8 days 16hr 13min 22.47sec." Electronically timed, of course. Since the Crystal Palace arena opened, in 1964, it has witnessed 21 world records, some of little consequence, others, like Bedford's 10,000 metres mark on Friday, July 13, 1973, exceptional. Now the venue may not survive into next year as a centre for international athletics. An independent feasibility study, commissioned by Bromley council and the Sports Council and due out in the next fortnight, is expected to recommend that international track and field should give way to other sports.

Bedford, a Swampy of the

Seventies — rebellious, long-haired and playful, with impressive endurance — yet demanding regal respect once pounding his way round a track, is among the protesters launching a campaign today to keep athletics at the Palace. Under threat are the international track, the main stand and the only indoor training track in London.

Richard Simmons, the British Athletic Federation coach for the South East and prime mover behind the protest, says that the loss of the training facility would be no less devastating than the pulling up of the outdoor track. "It is where everybody lives from October until March," he said. However, Diane Lightfoot, Bromley council's marketing officer, said yesterday that one option being considered was for Crystal Palace to be a regional centre for athletics. Bedford's world record was the most captivating of the 21, all the better for the sheer surprise of it. Only 3,500 spectators were present on the first session of the AAA championships when Bedford, recently injured and off training, lined up for 25 laps. The year before, he had commanded the public to turn on their televisions and watch him win

Olympic gold for Britain — and finished sixth. He was more circumspect this time. Covering the first lap in 63.0sec, Bedford reached the half-way mark in an absurdly fast 13min 39.4sec. Although Tony Simons was in close contact, he soon dropped off and Bedford ran the second 5,000 metres alone, apart from the lapped Mike Tagg helping with a spot of pacemaking. Bedford's time, 27min 30.8sec, slashed 7.6sec off Lasse Viren's world record.

For the 12,000 crowd there the next day, most of whom were regretting their absence of the night before, there was at least a chance to see the great man hot from his record. He finished sixth, but a hero. Those present witnessed the embryonic talent of Steve Ovett, who set an 800 metres world best for a 17-year-old, the precursor to a glittering career. Ovett, who improved the two miles world record at the Palace, in 1978, is also expected at the campaign launch today.

The first Palace world record came in 1968, when Vera Nikolic, only 19, from Yugoslavia, thrilled the largest crowd to turn up for a Women's AAA championship, defeating Lillian Board to set new 800 metres figures of 2min 0.5sec. On hearing that she had broken the record, Nikolic, set about kissing everybody within range.

Ron Clarke, of Australia, expressed his gratitude for the Tartan track when a record Palace crowd of 9,000 saw him set his seventeenth world record in 1968. He recorded 8min 19.6sec for two miles. "That would have been worth 824 at the White City," he said.

On one day in 1970, three world records were set at the Palace. Jim Alder ran 1hr 31min 30.4sec for 30 kilometres, the Kenyans took the 4 x 800 yards time down to 7min 11.6sec and the Great Britain 4 x 800 metres women's team went into the world record books, with 8min 25.0sec despite finishing 15 metres behind West Germany. The Germans were disqualified for a takeover foul.

Brendan Foster's two miles world record of 8min 13.68sec in 1973 ranks among the best of the Palace records, for he ran alone for the last 4½ laps. Zola Budd, British at the time, is the only athlete to have set two individual world records there, the 2,000 metres (8min 33.15sec) in 1984 and the 5,000 metres (14min 48.07sec) in 1985.

By 1983, record attempts around the world had begun to wear thin, so it was refreshing at the Palace on September 9 of that year to witness one of



Bedford out on his own was a familiar sight at Crystal Palace in the summer of 1973

the greatest athlete versus athlete races in middle-distance history. So keen was the anticipation of seeing Steve Ovett, the 1,500 metres world record-holder, that the meeting was a 17,000 sell-out

even before it was confirmed that the dream race would take place. The two watched each other in the field might be doing. Down the back straight on the first lap, Ovett was second to

last with Cram behind him. Going into the last lap, both were in a good position for their private duel and Cram kicked from 350 metres out. Ovett followed and a two-metre gap remained constant to the end. A classic contest. When the women's European Cup final was held at the Palace in 1983, it produced one of those rare combinations of world record and classic contest in one. Tamara Bykova, of the Soviet Union, and Ulrike Meyfarth, of West Germany, both exceeded the high jump world record, with 2.03 metres. Meyfarth won, clearing 2.03 metres at the first attempt.

Bykova, having had nine first-time clearances while Meyfarth had recorded five failures, had to settle for second place because of her one failure at 2.03 metres.

CRYSTAL PALACE WORLD RECORDS

Jul 20 1968	Women's 800 metres: Vera Nikolic 2min 0.5sec.
Aug 24 1968	Men's 5 miles: Ron Clarke 13.68min 13.68sec.
Aug 24 1968	Women's 4 x 400 metres: Great Britain 13.35sec.
Jun 22 1969	Men's 30 kilometres: Jim Alder 1hr 31min 30.4sec.
Sep 5 1970	Men's 4 x 800 yards: Kenya 7min 11.6sec.
Sep 5 1970	Women's 4 x 400 metres: Great Britain 13.35sec.
Jul 19 1973	Women's 2,000 metres: Zola Budd 8min 33.15sec.
Jul 19 1973	Women's 5,000 metres: Zola Budd 14min 48.07sec.
Aug 20 1977	Men's 2 miles: Steve Ovett 8min 19.6sec.
Sep 15 1979	Men's 4 x 1,000 metres: Great Britain 13.09sec.
Aug 20 1983	Women's high jump: Ulrike Meyfarth/Tamara Bykova 2.03m.
Jul 13 1984	Women's 2,000 metres: Zola Budd 8min 33.15sec.
Jul 13 1984	Men's pole vault: Sergey Bubka 5.90m.
Aug 25 1985	Women's 5,000 metres: Zola Budd 14min 48.07sec.
Jul 11 1986	Men's pole vault: Sergey Bubka 5.90m.
Jul 20 1987	Men's pole vault: Sergey Bubka 5.90m.

WORD-WATCHING

Answers from page 33

ELEAZAR

(b) Priest, son of Aaron, and his successor. Aaron's elder sons, Nadab and Abihu, were killed by God when they "offered strange fire" (that is to say, sacrificed in the wrong way) in the wilderness of Sinai. Their places were taken by Eleazar and his younger brother, Ithamar. Eleazar was the senior priest at Joshua's side when the Israelites crossed the River Jordan and when the Promised Land was divided among the 12 tribes and the Levites at Shiloh.

NAHASH

(c) King of the Ammonites. He was the first victim of the union of the Israelites under Saul. When Nabash attacked Jabesh-gilead and threatened to put out the eyes of its leading citizens, Saul raised an army of 330,000 and defeated the Ammonites. After this exploit, Saul was formally confirmed at Gibeon as king over all the tribes of Israel.

ABIRAM

(a) One of the leaders of the revolt, led by Korah, against the authority of Moses in the wilderness of Sinai. These dissidents complained that the Israelites were taking far too long to reach the Promised Land. Boring with milk and honey. Their disloyal protest cost them their lives. For the earth opened and swallowed them up alive with all their kin and cattle.

ZACHARIAS

(a) A priest with a wife, Elizabeth, both of them beyond the child-bearing limit. Officiating one day in the Temple, Zacharias saw the archangel Gabriel standing to the right of the altar. The angel told him that he and Elizabeth would have a son, the new Elijah. Zacharias asked for a sign to substantiate the angel's promise. The angel, chiding him for his lack of faith, condemned him to be dumb until the child's birth. The child was named John — to be the Baptist — and Zacharias recovered his speech.

SOLUTION TO WINNING CHESS MOVE

1. Rb1 will force the win of at least a rook, eg. L... Rb7; 2. Rb2 and Black has no good move.

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A concatenation of codes, cops and cons

The encouragement of others is a rare motive for telly-makers, which perhaps explains why Hugh Whitmore's excellent *Breaking the Code* (BBC1) hilariously ended up last night under the rubric of the numeracy project "Count Me In". Any story less likely to inspire mathematicians is hard to imagine. True, the great Enigma code-breaker Alan Turing (Derek Jacobi) had glorious speeches about the reliability of numbers as opposed to the insoluble problems of real life; but since Turing ended up lonely and suicidal, if the queue for maths A level is longer this morning, I'd be surprised.

However, any excuse to get real, intelligent, fire-bucket drama onto BBC1 is good enough. This stage play from 1986 has been jumping up and down (alongside Ian McEwan's old film *The Imitation Game*), saying "What about us?" ever since Robert Harris

brought out his novel *Enigma*, as if no one had thought of it before. Whitmore's play is an elegant piece, with a virtuoso role for Turing — his frankness and his enforced secrecy — finally refuse to be contained in his genius. After the war (which wouldn't have been without him, as he told a lover, quite matter-of-factly), Turing was prosecuted for his homosexuality, hence his suicide. His code, if you like, was broken.

Evidently the virtue of mathematics is that it always tells the truth. Thus, all the great moments in *Breaking the Code* involved the perils of veracity. Turing's would-be girlfriend Pat (Amanda Root) tells him she loves him. Big moment. "I'm a homosexual," he says, quietly. Another big moment. "I know," she replies. A terrific scene with Turing's most (Princess) Scale's involves the same confession. But most crucial of all

is his reckless admission to a police officer (Alun Armstrong) that he's slept with a man. This is in 1952. "Can't you forget about it?" he keeps asking the stone-faced Armstrong. "Can't you?"

A genius pleading with a jobsworth is an unpleasant sight. Jacobi's upturned face is the perfect mixture of mask and passion; as an actor, he can personify abject loss and loneliness better than anyone I know. Years ago, his *Cyrano de Bergerac* made me actually sob in the stalls; to see his Alan Turing on telly at last (courtesy of producer Jack Emery and director Herbert Wise) was a real, if unexpected, treat.

Of course, the rest of the evening wasn't all as good as that. ITV gave us *Supply and Demand*, a two-hour pilot for yet another cop-by-numbers series, this time about undercover cops busting drugs. Created by Lynda

REVIEW



Lynne Truss

La Plante (creating is so much harder than just writing), *Supply and Demand* attempted to make up for stereotypes by questionably casting Juliet Aubrey (of *Midnight March*) as a tough DS with dirty hair and estuary vowels. Meanwhile Freddie Starr was, rather alarmingly, Mr Big, with five-star security cameras (FIS) and sinister dangle earrings. I remember an unkind comedy

in saying Mia Farrow chooses children as if she's playing *Countdown*. "I'll have a black one, please. And a Chinese one. And another black one." British team-op drama is cast like that, too; only there's also a Scot, an Asian and someone from Tiger Bay as well, not to mention an uppity broad. Of course, it's quite right that racial mix should be an issue in telly drama (it encourages the others), and luckily, *Supply and Demand* had one original idea which had nothing to do with tokenism: the struggle between two black policemen from different backgrounds — Eamonn Walker as the handsome Jake, a stick and plausible infiltrator of drug scenes; Ade Sapara as stiff-necked DI Harrington, forced by circumstance to attempt a Rasta impersonation. Both were excellent. But the United Colours of Benetton back-up team were muppets, there's just no other word.

Is *Supply and Demand* really a "one-off drama", as it was billed? The trouble is, even if it becomes a series, there's no point getting attached — they just come and go, these team-op efforts, with no regard for the hours the viewer is prepared to put in. We make good imitations of the *NYPD Blue* format here (*Out of the Blue* was strong; *The Knock* was huge, but you always feel, as a viewer, each week could be the last. However, if *Supply and Demand* does catch on, it might address one particular oddity: that last night it made surveillance look ludicrously easy. Whenever Starr looked out of his car, he'd find Aubrey talking openly into her mobile phone, and somehow or other, not notice.

Chris Morris's long-awaited send-up, *Brass Eye* (Channel 4), has certainly caught on already, but to be honest, it gets its biggest laughs from me not

when glibbie politicians and celebrities swallow ridiculous made-up news (poo saps), but when the graphics and urgent current-affairs jingles go on, and on, and on — pah-pah-pah, pah-pah-pah — until the preening self-importance just crumbles to bits.

Drugs were the issue of the second programme last night, and Morris was down on the street, filmed from above in fuzzy night-light, asking an increasingly irritated dealer for "triple solo" and "yellow bennies". Meanwhile Noel Edmonds was somehow persuaded to make a genuine appeal against a new Czech drug called Cake (a huge yellow aspirin, the size of a disk) which can alter the part of your brain called "Shatter's Bassoon". I don't quite understand how trapping Noel Edmonds in a con is any more sophisticated than a "Gotcha". But then, satire is such a complicated world, these days.

- BBC1**
- 6.00am Business Breakfast (70255)
 - 7.00 BBC Breakfast News (70457)
 - 9.00am Breakfast News Extra (7020051)
 - 9.20 All Over the Shop (1750490)
 - 9.45 Kilroy (5025254)
 - 10.30 Can't Cook, Won't Cook (26983)
 - 11.00 News (7) and weather (801457)
 - 11.05 The Really Useful Show (9157341)
 - 11.45 Smiller's People (198341)
 - 12.00 News (7) and weather (803393)
 - 12.05pm The Alphabet Game (528051)
 - 12.30 Going for a Song (7070185)
 - 12.55 The Weather Show (3485703)
 - 1.00 News (7) and weather (803393)
 - 1.30 Regional News and weather (98511815)
 - 1.40 Neighbours (7) (20180508)
 - 2.05 Quirky (848518)
 - 2.50 Snooker: The Masters (4594761)
 - 3.30 Playdays (1999863) 3.50 Casper Classics (2014457) 3.55 When Sam's Strawberry (7780701) 4.10 Free Willy (5080701) 4.30 The Really Wild Show (5587984) 5.00 Newsround (7744032) 5.10 Grange Hill (1734506)
 - 5.35 Neighbours (7) (278418)
 - 6.00 News (7) and weather (873)
 - 6.30 Newsround South East (525)
 - 7.00 Watchdog Consumer Issues, presented by Anne Robinson (883761)
 - 7.25 Comic Relief: The Launched (808231)
 - 7.30 EastEnders Phil begins to realise the gravity of his situation (7) (709)
 - 8.00 **Incredible Journeys** The last in the series follows the western diamondback rattlesnake from birth, through its fight for survival in the Sonoran Desert (7) (3380)
 - 8.30 Need of Kin George announces to his weary grandparents that he is going to sail for world peace. But his parents' concerns grow when she fails to start sailing again (7) (9815)
 - 9.00 News (7), regional news and weather (8167)
 - 9.30 Comic Relief: The Launched (873885)
 - 9.35 The X Factor When coach-potatoes suddenly become overwhelmed by the urge to kill, Mulder believes they could be victims of a plot to manipulate society through television. Scully despairs as her partner appears to jump to yet another bizarre conclusion. With David Duchovny and Gillian Anderson (873885)
 - 10.20 The Frank Skinner Show Stand-up comedy and interviews (7) (825032)
 - 10.50 Question Time David Dimbleby's guests are the Agriculture Minister Angela Browning, the Shadow Minister for Transport Richard Littlejohn and the leader of the Plaid Cymru, Dafydd Iwan (869035)
 - 11.50 Rembrandt Journeys Acclaimed novelist Abdel Solim revisits the Egyptian places of her childhood (834612)
 - 12.10 FILM: Travelling North (1987) Comedy, with Leo McKern. A retired Australian businessman leaves Melbourne to build a new life in North Queensland, where he learns he is suffering from a rare but serious heart condition. Directed by Carl Schultz (866113)
 - 1.45pm Weather (2304820)

- BBC2**
- 6.00am Open University (8931709) 6.25 Why Me? Why Now? (5903544) 6.50 Brief Encounter 7.15 News 7.30 Secret Squares and Co (1956490) 7.55 Blue Peter (7550220) 8.20 Whitting (7) (7029143) 8.38 The Road (8468701)
 - 9.00 The Science Collection (1778696)
 - 9.25 Into Work (8206490) 9.40 Megamaths (2535273) 10.00 Playdays (54167) 10.30 Storyline (3399029) 10.45 Teaching Today (182729) 11.15 Health 9 (260544) 11.35 The Road (8468701)
 - 12.05pm Quirky (848518) 12.30 Working Lunch (42418) 1.00 Lancelotti (2481683) 1.25 Isabel (1285490) 1.48 Numberline (8555554) 2.00 Whitting (7) (8019362)
 - 2.10 Snooker: The Masters (873885)
 - 2.50 Hockey Outings (7) (3612505) 3.00 News (7) 3.05 Westminster (8731186) 3.55 News (7) 4.00 Snooker (8709)
 - 6.00 Star Trek: Deep Space Nine (7) (874934)
 - 6.45 Snooker: The Masters (261188)
 - 7.50 First Steps Dealing in Death Why have the media and politicians been slow to highlight heroin addiction among young children and instead focus on the threat posed by Ecstasy? (821) WAL:ES
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 - 9.55 Regional News (5743273)
 - 10.00 The Time, The Place (41693)
 - 10.30 This Morning (3399032)
 - 12.20 Regional News (5609167)
 - 12.30 News (7) and weather (755254)
 - 12.55 Shortland Street (703273) 1.25 Home and Away (7) (1520385) 1.50 Afternoon Live (2015438) 2.20 Vanessa (7) (3004438) 2.50 Afternoon Live (5084780)
 - 3.20 News (7) (5703055)
 - 3.25 Regional News (5757056)
 - 3.30 The Riddler (701070) 3.40 Vizadora (942032) 3.50 The New Adventures of Winnie the Pooh (1988780) 4.15 Mike and Angelo (9087708) 4.40 Sticky (3513099)
 - 5.10 A Country Practice (7051709)
 - 5.40 News (7) and weather (444525)
 - 6.00 Home and Away (7) (288322)
 - 6.25 HTV News (7) (53419)
 - 7.00 Emmerdale (7) (8728)
 - 7.30 Survival: Leopards and Hyenas — the Armies of the Night Wildlife photographer Cindy Sutton concludes her two-part documentary on Zambia's Luangwa Valley by investigating the unsavoury habits of hyenas (7) (877)
 - 8.00 The Bill Slater narrowly escapes death when a television set is thrown from the top of a block of flats (7) (2148)
 - 8.30 Michael Barrymore's Strike It Rich (7) (4883)

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- SKY 1**
- 10.00pm Morning Glory (903031) 9.00pm Evening News (70255) 9.30pm Another World (2854) 11.00pm Days of Our Lives (80790)
 - 12.00pm The Frank Skinner Show Stand-up comedy and interviews (7) (825032)
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 - 1.45pm Weather (2304820)

- SKY 2**
- 7.00pm Hercules (904544) 6.00pm Hercules (904544) 5.00pm Hercules (904544) 4.00pm Hercules (904544) 3.00pm Hercules (904544) 2.00pm Hercules (904544) 1.00pm Hercules (904544)
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SPORT

SNOOKER 40
Doherty puts
record straight
at Wembley

SKIING 41
Downhillers join
in chorus
of disapproval

THURSDAY FEBRUARY 6 1997

Thorpe hurt on eve of second Test

Injury clouds England's preparations

FROM ALAN LEE, CRICKET CORRESPONDENT, IN WELLINGTON

WET weather, a pitch sweating under cover and injury concerns over influential players combined to leave both teams fretting about their strategies on the eve of the second Test match at the Basin Reserve here yesterday.

England's final practice session was aborted due to morning rain, with David Lloyd, the coach, remaining consistent to his themes of recent days by declaring that his players had done enough and would not be kept on stand-by for an improvement in conditions.

This could hardly be condemned as complacency, but it contrasted with the approach of New Zealand, who were able to begin a net session less than an hour after England had headed back to their hotel for a free day. They were eventually cut short by a return of the rain, though not

before Chris Cairns had been put through the planned fitness test.

Cairns, vital to the balance of the New Zealand side, batted twice in the nets and bowled at half-pace. It was not convincing proof that his twisted ankle had recovered sufficiently and Heath Davis was added to the squad as a precaution.

A similar situation affected England. Graham Thorpe cracked his neck during fielding practice on Tuesday — the same session in which Chris Silverwood was discounted by gashing his bowling hand — and woke yesterday feeling stiff and restricted. Thorpe's form was restored by a century in the Auckland Test and, with no spare specialist batsmen in the tour party, England will have viewed this latest setback with dismay.

The disorientating effect of

the weather was also troubling them. As had been forecast, steady rain began here on Tuesday afternoon and continued intermittently for much of yesterday. It was predicted to clear some time today, but its significance for the preparation and likely behaviour of the Test pitch was not lost on Lloyd.

"The groundsman is now saying he is a day or two behind, which is the same situation we faced in Auckland," he said. "This pitch does not have as much moisture as the last one, though, and it is now much lighter in colour after being cut since yesterday."

Whatever doubts surrounded the game, England took in one priceless asset. Alec Stewart is at present the most prolific batsman in Test cricket and, although he will be 34 in April, he is confident that he has several years at this level ahead of him.

Stewart began this match requiring 54 runs to complete 1,000 in nine Tests since his recall to the team, against India at Lord's, last June. It is a remarkable renaissance for a player who might easily have been written off after his role of last winter and who was dropped from the side to accommodate Nick Knight.

"I never thought it was the end," Stewart said yesterday. "I just didn't think I would get back so quickly. When Nick was injured I took my chance and, as I have now been scoring heavily for about nine months, it's fair to say I have never been better. I have played better innings but never made runs over such a period."

Stewart's form on this tour has been exemplary with bat and gloves and he identifies job security as an important reason. "In the past few years, I have had a lot of different batting positions, sometimes keeping and sometimes not," he said. "Just knowing for sure what I will be doing through a tour is a great help."

Although he has not yet discussed it with Dave Gilbert, the Surrey coach, Stewart plans to take his England role of No 3 batsman and wicketkeeper into county cricket this summer. "I shall have to keep more often if I am to do it regularly for England and it makes sense to settle in the position," he said.

Stewart made a serene 173 in Auckland and his only innings since, in a benefit match last Sunday, ended in dismissal by Maia Lewis, the New Zealand women's captain. He is not, however, a man who embarrasses easily and his confidence is transparent. This is not the first purple patch of Stewart's seven-year England career. In 1992, he made four centuries within eight Test innings and the third of them was on this ground.



Frankie Dettori, the champion flat jockey, returns after riding Puzkiah in the Tyne Handicap at Wolverhampton. Five months after riding seven winners in a day at Ascot, the Italian had three rides, his first in Britain this year, all of which finished unplaced. Photograph: Barry Batchelor/PA

Doubts over Arsenal pair threaten Hoddle's plans

BY RUSSELL KEMPSON AND JOHN GOODBODY

ENGLAND'S plans for the important World Cup qualifying tie against Italy at Wembley next Wednesday have been hampered by injuries to the Arsenal pair, David Seaman and Tony Adams. Seaman has a knee problem while Adams is struggling with a twisted ankle.

Though they played in Arsenal's 1-0 FA Cup fourth-round defeat against Leeds United at Highbury on Tuesday, neither finished the game in comfort. Seaman only played after a late fitness test and appeared to be slow coming off his line when Rod Wallace scored Leeds' winner in the twelfth minute.

"Perhaps that came a bit early in the game for him," Arsene Wenger, the Arsenal manager, said. "Although I don't think he would have been able to get to the ball even if he had been fully fit. It is only a small injury and I think, with a few days' rest, he should be OK for England."

Adams, who may lead England out at Wembley as captain, left the pitch for two minutes during the second half to receive attention, but returned to play a vigorous role in Arsenal's feverish, yet fruitless, attempts at scoring an equaliser. "He's twisted the ankle, but, again, he should be right for the international," Wenger said.

Seaman and Adams reported to the England hotel, with the rest of the squad, in Buckinghamshire last night. Gary Lewin, who doubles as

the Arsenal and England physiotherapist, was expected to give them further treatment.

Glenn Hoddle, the England coach, is already without three key players — David Platt, Teddy Sheringham and Andy Hinchcliffe — while Paul Gascoigne and Paul Ince, his influential midfield players, have been nursing injuries.

England's first training session is at Bisham Abbey, Marlow, this morning and the mood among the players is optimistic. "We've just got to concentrate on our own game and not worry about what the Italians do," Sol Campbell, the

staged the European championship and made Uefa a record profit of more than £60 million.

The two officials are likely to be Erzik Senes, of Turkey, and Per Ravn Omdal, of Norway, although it is possible that Lennart Johansson, the Uefa president, will also attend the meeting.

Uefa has insisted that it was well known that it decided to support the German bid three years ago, although the decision was never ratified. The final voting for the tournament venue takes place in June 2000 and will be carried out by Fifa, the world governing body.

The FA will want to know how the Uefa decision was taken, the exact nature of its support, why the stance was taken nearly six years before the deadline for applications and why Uefa did not communicate the news to its member countries.

It will also ask why, at a reception on July 1 and at official dinners in September and November last year, when the FA made known its intention to bid for the tournament, no Uefa official mentioned the previous vote in favour of Germany. It was only last Friday, after a meeting in Lisbon, that Uefa fixed the news to the FA headquarters in London.

The incident has also disturbed relations between England and Germany, with the Germans upset that the FA did not consult them before launching a rival application.

Bradford opt to press charges over tackle

BRADFORD City have decided to institute criminal proceedings as well as issue a writ against Kevin Gray, the Huddersfield Town defender, after his controversial tackle on Gordon Watson during the game at the Pulse Stadium on Saturday that left the Bradford forward with a broken right leg.

Bradford believe the weight of medical evidence and the video footage of the incident, taken from several angles, will lead to Gray's prosecution. Watson, who only joined Bradford three weeks ago from Southampton for a club record fee of £550,000, had to undergo immediate surgery for a double fracture and have a six-inch plate and seven screws inserted in his leg. He will need at least one more operation and will be out of

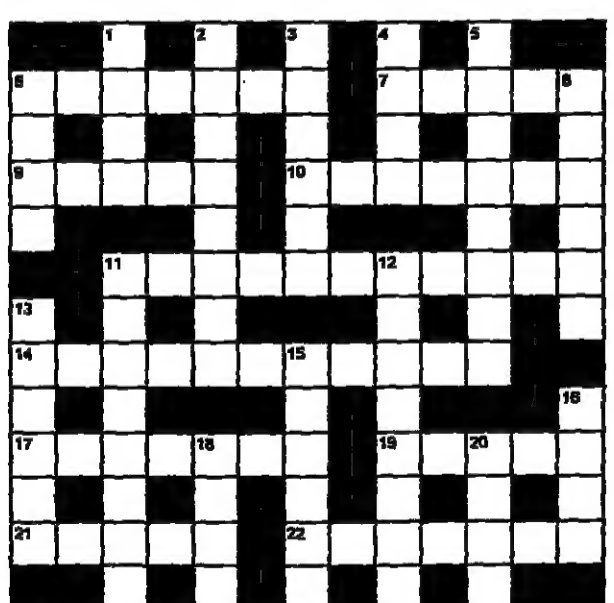
action for at least the next eight months. There are fears that the injury could mean the end of his football career.

Michael Shepherd, a partner of Hammond Suddards, Bradford's solicitors, is confident that they can win both civil and criminal cases — with the latter leading to Gray facing charges under sections 18 and 20 of the Offences Against the Person Act. Both involve grievous bodily harm, although section 18 relates to intent, something that Shepherd feels they can prove.

"If we didn't think there was a case for Mr Gray to answer — and it's for a jury at the end of the day to say whether he is guilty or innocent of the matter — and a probability of securing a conviction, then we wouldn't have gone ahead," he said.

TIMES TWO CROSSWORD

No 1010 in association with
BRITISH MIDLAND



ACROSS

- 6 "Cotton-wool" cloud (7)
- 7 Equipped with weapon (5)
- 9 An extremist (5)
- 10 Whole number (7)
- 11 One of pack of 52 (7,4)
- 14 Property seller (6,5)
- 17 Walk awkwardly (7)
- 19 Brief experience; artistic judgment (5)
- 21 Furnishing etc scheme (5)
- 22 Rhombus; precious stone (7)

DOWN

- 1 Soot flake; dirty jokes (4)
- 2 Agreeable (8)

- 3 Birthplace of St Francis (6)
- 4 Stupid, crazy (4)
- 5 One leaving to settle abroad (8)
- 6 Weapon; association (4)
- 8 Tyrolean dress, skirt (6)
- 11 It poet, loved Laura (8)
- 12 1914-18 world conflict (5,3)
- 13 Skilled (in) sounds like Russian distance (6)
- 15 Item list for meeting (6)
- 16 Join (metal) (4)
- 18 Reveal; unadorned (4)
- 20 Hole for coin (4)

British Midland The Airline for Europe

PRIZES: THE WINNER will receive a return ticket travelling Economy Class to anywhere on British Midland's domestic or international network.

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All flights are subject to availability.

Post your entry to Times Two Crossword, PO Box 6896, London E2 8SP to arrive by next Monday. The winners' names and solutions will appear on Wednesday.

Name/Address

SOLUTION TO NO 1009

ACROSS: 1 Prospero 7 Ennui 8 Thickness 9 Ugh
10 Hair 11 Impose 13 Bonnet 14 Gifted 17 Savour
18 Hill 20 Net 22 Ladies' man 23 Bonny 24 Wear thin
DOWN: 1 Patch 2 Opinion 3 Pike 4 Rhinoceros 5 Undue
6 Sighted 7 Estonia 12 Heavily 13 By and by 15 Triumph
16 Fungus 17 Clump 18 Linn 21 Dune

Era ends as Miller moves mountain

BY DAVID HANDS
RUGBY CORRESPONDENT

ERIC MILLER may go on to an illustrious career in rugby union — his burgeoning reputation now includes Leicester and Ireland and seems likely to embrace the British Isles this summer — but, for now, he is the man who has displaced Dean Richards from the Leicester back row.

Miller, 21, a Loughborough University student, will play No 8 against Bath in the delayed Pilkington Cup sixth-round tie at the Recreation Ground on Saturday and none of Leicester's historians can recall Richards, the club captain, being omitted from the team — when fit and available — before during his 15-year career at Welford Road.

Now Bob Dwyer, the Australian director of coaching at Leicester, has moved the apparently immovable. Richards, talisman of club and country for so many years, must do service as a replacement, just like Rory Under-

wood, England's most-capped player, who has found himself overlooked so frequently this season at Leicester.

This is the effect that Brive have had on Leicester. Richards, 33, has seldom been outmuscled in his life, but Brive did so in the Heineken Cup final last month. Only a year ago, Richards was the man recalled to save England and Jack Rowell, the national coach, against Scotland when the five nations' championship was slipping away.

"It was a tough call," Dwyer, who sung Richards' praises before the meeting with Brive, said. "Unfortunately, it goes with the job specification. I have every respect for people's achievements and none more than Dean. He still has an important role to play, but Eric has had a good season."

Not that Richards' day is done. In a season when coaches have learnt to think in terms of 21-man teams rather than 15, tactical substitutions play a key role and Richards

may well be seen against Bath, particularly if the going is soft. His experience and vision are vital in the further development of this Leicester team, but no longer as first choice. Indeed, Dwyer has talked about the possibility of playing second row, an option considered by Geoff Cooke when he was the England team manager.

Tactically to the end, Richards expressed no surprise at



Richards: less dynamic

his omission. "We have five or six outstanding back row players and it was inevitable something like this would happen," he said. "Eric has been playing well for Leicester and Ireland and has to be given a chance. I'm not the most dynamic player in the world and Bob wants more dynamism."

Miller was told on Monday that he would be in the cup team, but believed that it would be at blind-side flanker. Instead of John Wells, also 33. The unsung Wells, though, has been a model of consistency this season, while the power and drive which were second nature to Richards have been less in evidence.

Underwood, who fought back from disappointment to play against Brive, gives way to Leon Lloyd again against Bath. In addition, Leicester throw Josi Stranksy, whose dropped goal won the World Cup for South Africa, into the fray at stand-off half.

Howley in hot water, page 41

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